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Law Enforcement Policy and Guideline

NPS-9

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GUIDELINE TRANSMITTAL SHEET

GUIDELINE NUMBER NPS-9	TITLE LAW ENFORCEMENT POLICY AND GUIDELINE, NPS-9 Release April 1984	RELEASE NO. 2
OFFICE OF ORIGIN Branch, Ranger Activities, WASO		AMENDMENT NO. ---
DATE May 4, 1984		

Explanation of material transmitted:

Herewith transmitted is the April 1984 issuance of the Law Enforcement Policy and Guideline, NPS-9. It replaces the October 1975 Law Enforcement Guideline and the May 1980 Supplement thereto. Copies of the old Guideline and its Supplement, and all existing interim drafts of the 1984 issue are obsolete and should be destroyed.



Assistant Director, Personnel & Administrative Services



United States Department of the Interior

NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

MAY 4 1984

Memorandum

To: Directorate, Field Directorate, Park Managers, and Law Enforcement Personnel

From: Director

Subject: National Park Service Law Enforcement Policy and Guideline, NPS-9

The long arduous task of effecting major revisions to the National Park Service Law Enforcement Policy and Guideline (NPS-9) has been completed. The product verifies that the work was worthwhile and we can all be proud of the results. This document is a credit to all of those employees who participated in its development. My special appreciation is extended to the NPS-9 Task Force, and to all those who directly assisted them, for the fine job in preparing this document.

I hereby approve NPS-9 as the Policy and Guideline for the National Park Service Law Enforcement Program. While NPS-9 is a dynamic document, with specific instructions for a systematic annual review, these policies and guidelines shall be strictly adhered to by all managers and employees who have park management and law enforcement responsibilities. To deviate from, or to circumvent NPS-9 could weaken the National Park Service Law Enforcement Program and may cause disciplinary, tort, or criminal actions to be taken against individual employees, managers, or the Service.

Accordingly, all managers and employees who have law enforcement responsibilities shall become intimately knowledgeable with NPS-9, as it is a critical management document. This should be expeditiously accomplished by self-study, seminars, conferences and/or through formal and informal training sessions.

Your cooperation in this matter is appreciated.

Russell E. Dickenson



United States Department of the Interior

NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

APR 30 1984

Memorandum

To: Director

From: Chairman, NPS-9 Task Force

Subject: National Park Service Law Enforcement Guideline (NPS-9)

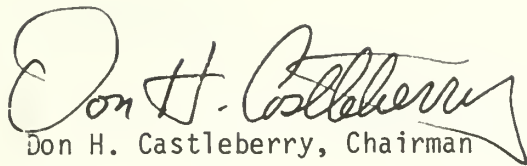
The Task Force encloses for your review and approval, the 1984 National Park Service Law Enforcement Guideline (NPS-9). This document essentially revises and updates the 1975 issue of NPS-9. This is the culmination of an intense and thorough drafting, comment, rewrite and review process formally begun with the May 1980 revision of the Defensive Equipment Chapter.

This guideline has been subjected to two major rewrites and two full field reviews with extensive comment. It has also been reviewed and commented upon, by the Office of the Solicitor, the Division of Enforcement and Security Management, the Association of National Park Rangers and has received significant contributions from the U.S. Park Police and numerous individual employees with special expertise and interests in various aspects of National Park Service law enforcement.

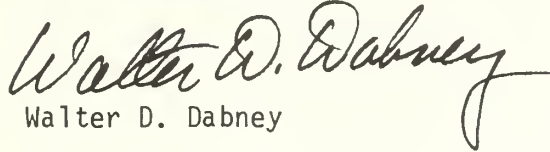
It is not, however, a static document. Additional Chapters need to be written and a few current chapters will eventually require future revision.

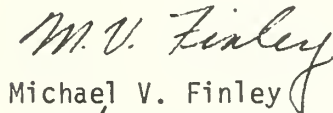
The task force does believe, however, that this is a sound document. It presents clear policy, adequate guidance and, a set of achievable standards to be met.

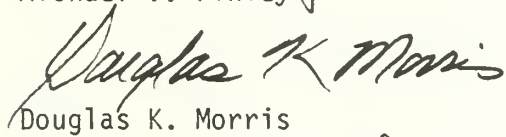
We recommend your approval and will be pleased to brief you on all aspects of the issue should you wish.

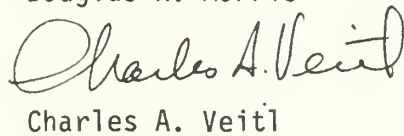

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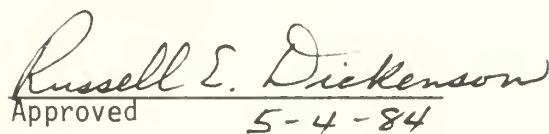

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Introduction

The April 1984 issue of the National Park Service Law Enforcement Policy and Guideline was developed by a Task Force, appointed by the Director, and with the cooperation and assistance of many individuals, park areas, regional representatives, several Washington Office divisions, various Departmental offices, and other appropriate Government agencies. In addition, this document, where appropriate, has been reviewed and approved by the Office of the Solicitor, Department of the Interior.

The purpose of this document is to provide an updated compilation of policies, procedures, and guidelines which must be followed in order to achieve the law enforcement mission of the National Park Service. Each law enforcement representative of the Service is responsible for adhering to and utilizing these policies, procedures, and guidelines as carefully and as efficiently as possible within legal parameters cited. To deviate from or circumvent such responsibilities will weaken the National Park Service's effectiveness, may cause tort or criminal liability, and could result in the loss of cohesive law enforcement services.

A systematic review will be made annually to ensure that these Policies and Guidelines are kept current with court decisions, Federal laws and regulations, and the needs of the field. Participation in this review by field personnel is essential and solicited.

This document has been organized in the following manner:

Introduction: This is the explanation of the contents of the chapter to follow.

Policy: This is the policy of the National Park Service and compliance with it is mandatory.

Guidelines: These are the procedures by which policy is implemented and unless otherwise stated herein shall not be deviated from.

LAW ENFORCEMENT PROGRAM DIRECTION

Beginning with the establishment of Yellowstone National Park in 1872 law enforcement has been one of the primary duties of the early park custodian, soldier, or ranger. The National Park Service has utilized law enforcement as a means to protect park resources, persons and property since its establishment in 1916. While the basic responsibilities for resource and visitor protection have not changed, a more mobile and sophisticated clientele combined with a greatly expanded National Park System and a more complex society require changes in the basic authorities and the manner in which law enforcement programs are administered.

Congress recognized that if the National Park Service were to implement the mandates of the 1916 Organic Act efficiently and effectively, new authorities were needed. In reaffirming these authorities, in 1976, Congress provided strong policy direction as it relates to the administration of law enforcement programs.

Senate Report No. 94-1190, August 27, 1976 (Senate Bill 3430), states:

"The general authority which the National Park Service now has to protect persons and property within the National Park System is not sufficiently clear to allow for effective law enforcement in the National Park System" (emphasis added).

"In order to eliminate possible uncertainties relating to law enforcement activities in the National Park System, all existing law enforcement authorities will be replaced with a clear mandate authorizing designated employees performing law enforcement functions within the system to bear firearms; enforce all Federal laws including serious criminal violations as well as misdemeanors applying specifically to parks; execute process; and investigate offenses" (emphasis added).

House Report, September 16, 1976 (H.R. 11887) states:

"The Committee intends that the clear and specific enforcement authority contained in this subsection, while necessary for the protection of the Federal employees so involved, will be implemented by the Secretary, to ensure that law enforcement activities in our National Park System will continue to be viewed as one function of a broad program of visitor and resource protection."

"Law enforcement duties should be a function of the National Park Ranger along with a diversity of other protection concerns."

"The authorities provided to the Secretary to enter into cooperative agreements as provided in this subsection are to be supplemental to the law enforcement responsibilities of the National Park Service and are not intended to authorize the delegation of permanent enforcement responsibilities to any State or local agency."

Finally, Departmental Manual (446 DM 1-1) outlines requirements and procedures for performing law enforcement duties by National Park Service commissioned personnel.

The overall intent of both Congress and the Department is that law enforcement functions are to be performed by the National Park Service commissioned personnel.

Of equal significance, however, the congressional reports and the Departmental Manual contain cautionary language. House Report of September 17, 1976 (H.R. 11887) states:

"It is not intended here that law enforcement responsibilities should fall on a small number of individuals as their exclusive duty. In like manner, the carrying of firearms and other defensive equipment should be done with a view toward maintaining the appearance of all designated employees as representatives of a resource and people serving agency...."

This cautionary language is significant in that it indicates that Congress intended that law enforcement activities by commissioned personnel be performed as a part of, and in consonance with, other duties and responsibilities.

The policies and guidelines in NPS-9 are to be implemented uniformly throughout the NPS. Deviation from the national policy is authorized only in those cases where a particular section allows the development of supplemental policy by a region or park.

These procedural guidelines contained herein do not apply to the U.S. Park Police since they will continue to be governed by rules and regulations specific to that organization.

The Departmental Manual (446 DM 1.3B) requires that: "Each bureau with law enforcement responsibilities shall vest with a single individual responsibility for the bureau-wide Law Enforcement Program."

The Director, National Park Service, has been delegated, from the Secretary of the Interior, general program authority and responsibility to manage park operations. Much of this line authority has been redelegated to regional directors and park superintendents. However, the Chief of Ranger Activities of the Director's staff (WASO) will provide the law enforcement program direction and assistance to the field.

Similarly, each NPS region has a division chief who has primary responsibility for region-wide protection activities, including law enforcement, and one member of that division staff is designated as the Regional Law Enforcement Specialist.

LAW ENFORCEMENT PRINCIPLES AND CODE OF ETHICS

I. Principles

A. Objectivity

All of our actions should be directed toward accomplishing our assigned missions. Enforcement of the law is one method to achieve this goal and is not a goal unto itself. Law enforcement personnel must relate to the spirit of the law, as well as to the letter of it.

B. Adaptability

Law enforcement operations within the NPS offer as many unique assignments as there are areas within the system. It is essential that the commissioned employee develop the confidence and flexibility necessary to adjust to the different attitudes and procedures that exist from area to area. Employees should be able to cultivate the support and cooperation of the public in the Service's operations; for citizen approval is essential to an effective program.

C. Integrity

Public respect is essential to any law enforcement activity. To establish this respect the employee must render impartial enforcement of the law. The employee's private life should be free from scandal and suspicion which would result in public criticism. Most importantly the commissioned employee must honestly believe in the law.

D. Versatility

National Park Service law enforcement personnel are much more than enforcers of the law; they are protectors of park resources and the public. They must possess the ability to perform all other protection duties and they must be adept in all facets of visitor services and resource management required by their current assignment.

E. Compatibility

The role of the commissioned employee is just one of several directed at the same mission. The employee must have the capacity to understand the purpose and function of these other activities, and must be able to work in concert with others in pursuit of the common goal.

II. Goals

The goals of NPS law enforcement actions are:

- Safety of park visitors and employees
- Protection of park resources
- Protection of the visitor experience
- Protection of property
- Absence of crime

These goals will be achieved by application of the lowest level of enforcement action that will gain compliance.

III. National Park Service Law Enforcement Code of Ethics

- A. I will faithfully abide by all laws, rules, regulations, and policies governing the performance of my duties and I will commit no act that violates these laws and regulations, or the spirit or intent of such laws and regulations while on or off duty.
- B. In my personal and official activities, I will never knowingly violate any local, State, or Federal laws and regulations, recognizing that I hold a unique position of public trust which carries an inherent personal commitment to uphold laws and the integrity of my profession. For these reasons, I understand that this code places special demands on me to preserve the confidence of the public, my peers, my supervisors, and society in general.
- C. I will commit no act in the conduct of official business or in my personal life that subjects the Department of the Interior and the National Park Service to public censure or adverse criticism.
- D. While a commissioned employee, I will neither accept outside employment nor make any display representative of the Department or NPS that will in any way conflict with the law enforcement interests or jeopardize the activities or mission of the Department or NPS, or give the appearance of conflict. I will also comply with the Departmental rules and regulations regarding employee conduct.
- E. As a commissioned employee and representative of the Department and NPS, I will conduct all investigations and law enforcement functions assigned to me impartially and thoroughly, and report the results thereof fully, objectively, and with meticulous accuracy.
- F. In investigative process, I will be judicious at all times and I will release information pertaining to my official duties, orally or in writing, only in accordance with the law and established policy.

- G. In connection with my official duties, I will accept no gift, gratuity, entertainment or loan except as provided by Departmental regulations. I will not accept favored treatment of any kind, from anyone on my own behalf or on behalf of any other person, recognizing that acceptance may result in a conflict or give the appearance of a conflict with my official duties or hinder my effectiveness as a commissioned employee.
- H. I will abide by all rules, regulations, and policies of the Department and NPS including those relating to health, safety, and technical requirements of my position.

LAW ENFORCEMENT AUTHORITY

I. Introduction

The Congress, through passage of the General Authorities Act of October 7, 1976 (P.L. 94-458), has provided the National Park Service with a clear assignment of law enforcement responsibility and specific authority to enforce all applicable laws and regulations.

II. Policy

The National Park Service will maintain law and order, protect persons and their property and protect park resources through the enforcement of all applicable laws and regulations.

III. Guidelines

Only designated employees are authorized to take actions based on the following authorities:

A. Source of Authority

The General Authorities Act (16 U.S.C. 1a-6) states that, "...the Secretary of Interior is authorized to designate, pursuant to standards prescribed in regulations by the Secretary, certain officers or employees of the Department of Interior who shall maintain law and order and protect persons and property within areas of the National Park System." Authority for designation of officers has further been delegated to the NPS by the Secretary in accordance with DM 205.

B. Scope of Authority

A person designated as a law enforcement employee by the Secretary of Interior may (16 U.S.C. 1a-6(a)):

1. "Carry firearms and make arrests without warrant for any offense against the United States committed in his presence, or for any felony cognizable under the laws of the United States if he has reasonable grounds to believe that the person to be arrested has committed or is committing such felony, provided such arrests occur within that system or the person to be arrested is fleeing therefrom to avoid arrest."

2. "Execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law arising out of an offense committed in that system or, where the person subject to the warrant or process is in that system, in connection with any Federal offense."
3. "Conduct investigation of offenses against the United States committed in that system in the absence of investigation thereof by any other Federal law enforcement agency having investigative jurisdiction over the offense committed or with the concurrence of such other agency."

C. Delegated Law Enforcement Authority

1. Commissioned Employees

Only designated employees may perform law enforcement duties. The two types of commissions and authorized law enforcement actions are set forth below.

a. Full Law Enforcement Commission

- (1) Carry firearms
- (2) Make arrests
- (3) Execute warrants and other legal processes
- (4) Conduct all types of investigations within scope of authority

b. Seasonal Law Enforcement Commission

- (1) Carry firearms
- (2) Make arrests
- (3) Conduct investigations of CFR violations only
- (4) Investigate motor vehicle accidents (excluding fatalities)
- (5) Take initial reports on felonies and fatalities and assist in follow-up investigations under the supervision and direction of a fully commissioned employee
- (6) May serve subpoenas and assist in the serving of a warrant under the immediate direction of a fully commissioned employee.

D. Park Protection Designation

The role of the park protection designation is to facilitate the NPS protection program. They have no authority to make arrests, carry firearms, conduct investigations or assist in the execution of warrants. The only law enforcement authority conferred upon these employees is to issue violation notices for specified non-hazardous violations. They may not become involved in the enforcement of poaching violations, narcotics and controlled substance laws, disorderly persons, moving traffic violations, or other hazardous enforcement duties. Employees with this limited designation must have written authority from the Regional Director or his designee, specifically setting forth the following 36 CFR violations for which they may issue citations.

PART	SECTION	TITLE
2	2.3 (b,d,e)	Fishing
	2.10 (a,b,d)	Camping and Food Storage
	2.11	Picnicking
	2.13 (a,b,c,d)	Fires
	2.15 (a,b,c,d,e,f)	Pets
	2.19 (a,b,c)	Winter Sports
	2.22 (a,b,c,d)	Property
3	3.2 (b)	Identifying Markings
	3.3 (a)	Permits
	3.5 (b)	Inspections
	3.21 (a and b)	Swimming and Bathing
	3.22	Surfing
	3.23 (a and b)	SCUBA and Snorkeling
4	4.13 (a)	Obstructing Traffic
	4.18 (a)	Traffic Control and Signs
7*		Special Regulations

*(This section will be considered on an individual park basis)

E. Non-Commissioned Employees

Employees with no commission and employees holding only the park protection designation are not to be assigned duties for the specific purpose of performing law enforcement functions. Examples of law enforcement duties are road patrol, hunting and poaching patrol, disturbance calls, criminal investigation and the execution of warrants. Except in non-law enforcement emergencies, such as medical cases, non-commissioned employees shall not operate law enforcement vehicles with emergency equipment activated.

Employees without commissions or designation have the continuing responsibility to protect park resources and visitors and to report any apparent violations or suspicious activities immediately. These employees should be trained to recognize, observe, and record criminal acts and illegal activities.

JURISDICTION

I. Introduction

In passing the General Authorities Act in 1976, Congress recognized that if the National Park Service were to meet the mandates of the 1916 Organic Act, new administrative authority was required. This law can be described as an effort to bring the 1916 Organic Act into focus with current operational realities. Increased visitor use, changes in these uses, and new conservation concepts and techniques all combined to indicate that more appropriate administrative mechanisms were needed if park employees were to provide effective protection to park resources, property and park visitors.

Congress has directed the United States to seek concurrent jurisdiction over lands and waters administered by the National Park Service. This legislative direction resulted primarily from problems encountered with law enforcement, although ancillary problems of extending local services to NPS employees was also a problem. Congress directed that wherever practicable* concurrent jurisdiction be obtained, recognizing that in both law and fact this was a matter of mutual resolution by the State and the Federal Government and that an agreement was required.

Basically, the problem stems from a lack of conformity in Federal land acquisition insofar as jurisdiction is concerned. Through the years, several types of jurisdiction evolved and Federal properties could be administered under one or a combination of jurisdictions.

The purpose of this chapter is to guide the administration of NPS law enforcement programs as they relate to the jurisdictional status of the park area.

II. Policy

The National Park Service will diligently pursue the completion of arrangements with each State, Commonwealth, Territory or possession within which a unit of the National Park System is located for the purpose of acquiring concurrent jurisdiction. Insofar as practicable* the United States shall exercise concurrent legislative jurisdiction within units of the National Park System (16 USC 1a-3).

* Practicable by legal definition means attainable, performable, feasible.

III. General

A. Definitions

1. Authority--means a lawful grant of specific powers.
2. Jurisdiction--defines the sphere of authority and outlines the territorial limits within which any particular authority may be exercised. In park operations, we are concerned with administrative enforcement and judicial and investigative jurisdiction pertaining to both civil and criminal matters.

Jurisdiction is the authority to make, declare, enforce and interpret law.

B. Types of Jurisdiction

1. Exclusive Jurisdiction

The Federal Government possesses all the authority of the State, subject only to the right to serve criminal and civil process for actions occurring outside the park.

Law enforcement must be provided by the United States, since State law may not be applied by a State officer. State courts do not have jurisdiction over offenses.

As a result, there is no legal obligation on the part of the State or any local political subdivision to provide normal sewage disposal, garbage collection, domestic water supply, snow clearance and maintenance of roads, and fire protection.

2. Partial Legislative Jurisdiction

Very similar to exclusive jurisdiction, but the State has reserved the right to exercise certain authority by limiting the legislative jurisdiction of the United States; e.g., the right to tax private property.

However, the status may be similar to areas having concurrent or proprietary jurisdiction, depending upon the extent of authority reserved by the State.

3. Concurrent Jurisdiction

The United States and the State jointly hold and exercise all the rights accorded a sovereign, with the broad qualification that such authority is held concurrently.

However, the United States has the superior right under the supremacy clause of the Constitution to carry out Federal functions unimpeded by State regulation.

4. Proprietary Interest

The United States has no legislative jurisdiction or measure of the State's authority over its land, but exercises all the rights of an owner.

However, the United States has certain other constitutional rights which a private individual does not hold.

The police powers of the State may be exercised in connection with the acts of private persons to the same extent as on privately-owned lands. The State may exercise its full civil and criminal jurisdiction over private activities on Federal lands held under proprietary status.

However, the State may not impose its regulatory power directly upon the United States without specific congressional consent, nor may it tax the Federal land. Neither may the State regulate the actions of the residents of the Federal area in any way which might directly interfere with the performance of a United States function.

C. Jurisdiction and Law Enforcement

The ability of the United States to accept responsibility for law enforcement activities occurring on Federal land is directly proportional to the jurisdictional status of that land.

1. Law Enforcement Authority on Federal land is directly related to:
 - a. Authority bestowed by Congress.
 - b. The laws applicable to an area.
 - c. The type of legislative jurisdiction ceded to the Federal Government by a particular State.

D. Limitations of Proprietary Interest

Under proprietary jurisdiction, NPS rules and regulations and certain Federal statutory laws may be enforced by commissioned employees. Additionally, Federal laws, such as destruction of government property and assault on a Federal officer describe crimes against the United States and are offenses wherever they are committed. These laws, likewise, may be enforced by commissioned employees in park areas.

However, the Federal Criminal Statutes which define crimes such as murder, assault, maiming, rape, robbery, theft, arson, etc., do not apply to Federal land unless it is held under exclusive or concurrent jurisdiction. Consequently, in areas of proprietary jurisdiction, only State law enforcement officers have authority to enforce State criminal statutes.

The major disadvantages of proprietary jurisdiction are that commissioned employees cannot enforce most of the laws pertaining to crimes against the person found in the U.S. Code or use a section of the U.S. Code commonly called the Assimilative Crimes Act (18 U.S.C. 13). This law assimilates State law into Federal law where there is no applicable Federal statute to cover an offense. Laws enacted by a State would become Federal law within the park and could be tried in the Federal court system. This statute may be used by commissioned employees only in areas of exclusive or concurrent legislative jurisdiction.

In a park area with proprietary jurisdiction (with very few exceptions) the burden of most felony investigations, arrests, and prosecutions rests with the State.

E. Concurrent Jurisdiction

Concurrent jurisdiction represents a partnership between the United States and a State in the administration and management of Federal lands. The following principles would generally apply to areas of concurrent jurisdiction.

1. The United States and a State jointly hold and exercise all the rights accorded a sovereign with the broad qualification that such authority is held concurrently. Both State and Federal criminal codes apply to Federal lands and both State and Federal officials may enforce their respective codes.

2. It is the parallel right of both the State and the Federal government to legislate with respect to such land and persons residing or present on it. Federal interests are protected by the supremacy clause of the U.S. Constitution (Article 6).

Cession of concurrent jurisdiction in no way limits the right of the State to exercise its jurisdiction within any of the National Park Service areas. It allows the National Park Service to enforce additional Federal criminal statutes and also to assimilate State law under Title 18 U.S.C. §13, where no appropriate Federal law or regulation exists. The result allows for more efficient conduct of both State and Federal law enforcement functions within the parks.

F. Advantages of Concurrent Jurisdiction to the Federal Government and the States

1. State law is assimilated into Federal law (Title 18 U.S.C. §§7 and 13) where no current Federal law exists or is applicable.
2. Local, State and County courts do not have to bear the cost of trial unilaterally.
3. The Federal Government may utilize the U.S. Marshal's Service to return a person for whom a warrant has been issued or for those who elude bail. There are no extradition costs or paperwork for the State or County.
4. Subpoena costs are borne by the Federal Government. No longer would the State or County be required to bear unilaterally the expense of returning witnesses from out of State. Witnesses could also be subpoenaed from anywhere within the United States.

These specific examples provide for more efficient conduct of both State and Federal law enforcement functions within the parks. Concurrent jurisdiction does not affect the status of either the State's or the National Park Service's traditional legal prerogatives, responsibilities and functions within parks. Moreover, with concurrent jurisdiction, whenever either party deem it economically or politically advantageous in the interest of effective and consistent law enforcement, investigation, arrest, and prosecution efforts can be negotiated and legally pursued by either State or Federal officers and courts.

G. Jurisdiction - with regard to CFR

1. Regulations contained in CFR 36 are applicable on:
 - a. Federally owned lands and waters administered by or subject to the jurisdiction of the National Park Service;
 - b. Lands and waters controlled, leased, administered or otherwise subject to the jurisdiction of the National Park Service; or
 - c. Less-than-fee interests to the extent necessary to fulfill the purpose of the acquired Federal interest and compatible with the retained non-Federal interest.
2. Refer to 36 CFR, Part 1, General Provisions, where further clarity is given, as well as the 10 sections applicable to privately owned lands. However, due to legal terminology in State statutes ceding jurisdiction to the United States, the Regional Field Solicitor should be consulted for clarification prior to enforcement action being initiated. Further, no enforcement of less-than-fee interest should be initiated unless concurred in by the Regional Field Solicitor and the U.S. Attorney's Office.

MANAGEMENT AND SUPERVISION

I. Introduction

The law enforcement programs of the National Park Service shall be recognized and supported by management and the park supervisory staff as an important tool for protection of park resources and the protection of property and park visitors.

Law enforcement programs should emphasize the need for education through enforcement contacts using the least stringent means to achieve compliance by the person contacted.

NPS enforcement programs will be successful only to the extent that these programs are properly supervised and supported by management. With proper recruitment, training, equipment, policy and guidelines, a professional law enforcement operation can be carried out. Judicial review occurring as a result of law enforcement actions or the absence of law enforcement actions would certainly examine adherence or lack of adherence by managers and supervisors to established policy.

II. Policy

National Park Service law enforcement programs will be managed and supervised in accordance with applicable law, regulations, Departmental policy (DM 446) and NPS policy (NPS-9). Deviation from these guidelines or policies is authorized only in those cases where a section specifically allows for the development of supplemental policy by a region or park.

III. Guidelines

Substandard law enforcement is not the fault of the activity itself or of law enforcement policy. It may be the result of poor supervision and/or lack of management understanding and support. Employees not meeting standards should be counseled immediately, provided with appropriate training, and, if necessary, removed from law enforcement duties pursuant to procedures outlined in Chapter 6.

LAW ENFORCEMENT COMMISSIONS

I. Introduction

The General Authorities Act (P.L. 94-458) authorized the Secretary of the Interior to designate, pursuant to standards prescribed by the Secretary, certain officers or employees of the Department of the Interior who shall perform law enforcement duties. These standards are set forth in DM 446 and are binding upon all bureaus within the Department.

National Park Service policies and procedures concerning the issuance of law enforcement commissions have been developed in compliance with Departmental standards.

The purpose of this chapter is to set forth National Park Service standards and procedures for the issuance, suspension and revocation of a law enforcement commission.

II. Policy

National Park Service employees will perform law enforcement duties only when authorized to do so by a valid law enforcement commission. Seasonal or full law enforcement commissions will be issued only after applicants have documented successful completion of each of the requirements identified in this Chapter and further defined in Chapter 7 concerning law enforcement training.

Managers and supervisors should nominate individuals for a law enforcement commission based on park needs and a determination that an applicant can effectively discharge law enforcement responsibilities. Such a determination will be made on the basis of the specific criteria identified in this Chapter and the belief that an applicant will abide by the principles and ethics set forth in Chapter 2 of this Guideline. Consistent with this initial judgment is the need for continued supervision and evaluation to assure the highest law enforcement standards.

When the performance of law enforcement duties does not reflect full compliance with established servicewide principles and policies, managers and supervisors are expected to remedy this situation through training, counseling, suspension or revocation of a law enforcement commission, as appropriate.

A background investigation must be made concerning each applicant for a law enforcement commission (LEC), even though the applicant has prior (non law enforcement type) Park Service experience. The background investigation must be submitted to the Regional Office along with the LEC application. Applications will not be processed until the background investigation has been completed. These investigations shall be completed prior to nomination to attend the basic law enforcement course at the Federal Law Enforcement Training Center. All background investigations will be in accordance with Departmental Policy and these Guidelines. Exhibit 1 contains a checklist of items required for background investigations.

III. Guidelines

A. Issuance

1. Application for a law enforcement commission must be endorsed by appropriate supervisors and signed by the park superintendent recommending issuance of the commission.

Such approvals will be based upon assigned duties, park needs, and overall judgment that an applicant can effectively discharge law enforcement duties.

2. In compliance with Departmental Policy, a background investigation will be conducted and certified by the employing park. Applicants with criminal records consisting of felony or serious misdemeanor convictions, a history of drug or alcohol dependence, a history of mental or emotional instability, poor work and credit history or poor driving records (including, DUI convictions, several reckless driving, speeding violations, etc.) should be disqualified at the park level. Refer to Federal Personnel Manual 731, subchapter 3, for a comprehensive list of suitability disqualifications. Components of this background check will include, but not be limited to:

- a. An interview to advise the applicant that his/her employment in law enforcement is predicated upon the receipt of a favorable investigation report.
- b. Police agency checks can be accomplished through the use of Optional Form 51--Offense Arrest/Conviction Record Check, Exhibit 2, and a records check initiated through the local NCIC access. These checks are to be conducted at past residences, going back to the applicant's 16th birthday and/or date of last National Agency Check (NACI/NACIC). Applicants shall provide written consent for release of any information under requirements of the Privacy Act. A signed SF-171 (Personal Qualifications Statement) or a CSC Form 329-A (Authorization for Release of Information), Exhibit 3, shall be used for such authorization.

- c. A background check must be complete at the time the applicant is accepted for duty. In order to receive more timely NACIC responses, the initiating park shall mail the completed SF-85's, SF-87's (Exhibits 4 and 5, respectively), and a copy of the updated SF-171 with an original signature direct to OPM-NACI Center, NAC, Boyers, Pennsylvania 16018. (Note: OPM Form 1474 must be submitted for this check.) Return address for the completed investigations, shall be to the Regional Law Enforcement Specialist who will notify the employing park of the results.

Once the NACIC check is completed for an employee, it need only be redone every 5 years (provided there has not been a break in service of more than one year).

- d. Documented interviews with at least four (4) persons knowledgeable of the applicant's background.
 - e. Inquiries with the applicant's last two employment supervisors and/or co-workers, where the supervisor is unavailable, to determine characteristics such as work history, emotional and psychological stability, rehire eligibility in a work situation, etc. Complete DI (NPS) Form 10-129A (Confidential Inquiry), Exhibit 7.
 - f. Fingerprint chart (SF-87) to be forwarded as indicated in c. above.
 - g. Drivers license record check through local computer access. Complete and forward Highway Safety (HS) Form 1047 (Request for National Driver Register File Check), Exhibit 8, to NDR, National Highway Traffic Safety Administration, Washington, D.C. 20590.
 - h. Birth certificate or other official document to assure that person is at least 21 years of age.
3. A full field background investigation will be conducted by the Office of Personnel Management (OPM) whenever (1) the position in question is classified as critical sensitive; (2) the applicant for any law enforcement position is found to have questionable information in their initial background check performed by the screening park that does not automatically screen out the applicant (i.e. felony arrest/conviction, revocation of driver's license, perjury, or any disqualifiers found in paragraph C.1 of this chapter); or (3) at the discretion of the employing bureau.

- a. Positions to be classified as critical sensitive shall include, but not be limited to:
 - (1) Supervisory in the law enforcement field where the accretion of duties are such that the scope of work requires policy decisions, interpretation of policy and/or significant operational responsibilities.
 - (2) Regional Law Enforcement Specialists
 - (3) Law Enforcement Specialist (WASO)
 - (4) Chief, Ranger Activities (WASO)
 - (5) Any position involving the accessing or use of computerized criminal intelligence.
 - b. For the purpose of this chapter, any one having attended the FBI National Academy will be considered as having had a full field background investigation.
 - c. The costs for a full field background investigation will be billed to the region involved by the (SIBAC) method from OPM and may inturn be passed down to the individual areas where the request originated.
 - d. All requests for full field background investigations must be cleared through the Security Officer for NPS (WASO) prior to initiation at the regional level.
4. Applicants for a law enforcement commission must thoroughly complete and sign an SF-171 Form (Personal Qualifications Statement). Pre-employment requisite forms (SF-85, SF-87, SF-171) must be completed and processed before applicant is finally accepted for a position. The SF-171 serves as an affidavit stating that the law enforcement commission applicant has not been convicted of any felony. Such an affidavit will likewise require a declaration of any convictions or guilty pleas to all misdeameanors and petty offenses except minor traffic violations.
 5. Reissuance of any expired commission will be preceeded by a background check as outlined in 2(b) and (c) above.
 6. Prior to issuance of a law enforcement+ commission, an applicant must document completion and recency of the following minimum standards.

- a. Law enforcement training requirements as prescribed in Chapter 7 of this Guideline.
 - b. American Red Cross Standard First Aid Certificate or equivalent (excluding multi-media).
 - c. American Red Cross or American Heart Association Cardio-Pulmonary Resuscitation (CPR) or equivalent.
7. Law enforcement commissions are to be issued only by the Regional Director, based on recommendations made by the Regional Law Enforcement Specialist. This authority may be redelegated to the Deputy Regional Director or Associate Regional Director for Operations.
8. Once issued, seasonal and full law enforcement commissions will be valid throughout the National Park Service.
- a. Permanent

Permanent employees transferring to a new position will retain their commissions without reapplication when recommended by the Superintendent of the new park. Managers should encourage employees with law enforcement commissions who accept positions without law enforcement duties (i.e. resource management) to maintain their commissions.

Prior to transfer or termination, the Superintendent will notify the Regional Law Enforcement Specialist. The Regional Law Enforcement Specialist will forward the law enforcement file of the transferring employee to the Regional Law Enforcement Specialist in the receiving region.
 - b. Seasonal

Upon termination of seasonal employees, commissions will be surrendered to the Regional Law Enforcement Specialist. Upon re-employment in the same region, commissions of seasonals will be re-issued following the signing of the affidavit outlined in subparagraph 4 above. If a seasonal is employed in a different region, training records will be forwarded by the Regional Law Enforcement Specialist to the employee's new region for issuance of a new commission.
9. Commissions will expire three (3) years from date of issuance.



10. The Regional Law Enforcement Specialist shall submit to WASO annually on January 20, a report on the status of regional law enforcement commissions and certification of required refresher/in-service training.

R. Suspension of Law Enforcement Commissions

1. Suspension is the temporary withdrawal of a law enforcement commission. Based on the criteria in this chapter, supervisors may suspend law enforcement commissions for up to thirty (30) days. Within 3 days, the Superintendent or his designee will review any such action taken and will either terminate the suspension or allow it to continue in force. At the end of thirty (30) days, the following three (3) courses of action are available.
 - a. The suspension may be terminated by the Superintendent or his designee and law enforcement authority reinstated.
 - b. At the request of the Superintendent, the Regional Director may extend the suspension for an additional thirty (30) days, based upon a determination that additional time is needed for investigation, medical evaluation, and/or treatment, but not for disciplinary purposes.
 - c. If at the end of the additional thirty (30) days, further time is needed, a Board, appointed by the Regional Director, will be convened. This Board shall consist of no less than three (3) persons. At least one member of the Board will be a commissioned law enforcement employee. One member of the Board may be identified within 500 miles of the park by the person whose actions are in question.
2. Suspension for cause may be undertaken for disciplinary reasons as identified in this chapter and/or to provide a period of time for an investigation to be conducted or a professional examination to be completed. In cases involving possible legal action, the Board will not be convened without prior consultation with the U.S. Attorney and Solicitor.
3. Whenever a commissioned law enforcement employee's conduct (or actions) is determined to be either: (1) hazardous to himself; (2) endangering fellow employees and/or the general public; or (3) his behavior in any manner suggests a mental disorder, the employee shall be removed from law enforcement responsibilities by his/her immediate supervisor. The entire incident shall be immediately reported to the Superintendent for processing in accordance with subparagraphs 1 and 2 above.

- a. The commission may be reinstated when, on a voluntary basis, the employee is examined by a clinical psychologist or psychiatrist experienced in the evaluation and treatment of psychiatric diseases associated with law enforcement and is approved by the National Park Service or the Department. However, written documentation must be received from the clinical psychologist or psychiatrist certifying that the employee is ready to resume their law enforcement responsibilities. Park/Regional funding for such examination and treatment is pursuant to approval by the Departmental Medical Officer. Accordingly, all requests for such approval shall be treated in confidence and forwarded through the Regional Law Enforcement Specialist to Ranger Activities, WASO. In addition, whenever actions of this nature are contemplated, the Regional Law Enforcement Specialist will consult with the Regional Employee Relations Office, keeping them informed.
4. The Regional Law Enforcement Specialist shall be notified immediately of all suspensions. Further, all suspended commissions shall be forwarded to the Regional Law Enforcement Specialist until such time as they have been reinstated as outlined above.

C. Revocation of Law Enforcement Commission

1. Regional Directors may revoke a law enforcement commission based on the recommendations of a Regional Review Board appointed as prescribed in B 1.(c) but now including the Regional Law Enforcement Specialist. This authority may be delegated to the Deputy or Associate Regional Director for operations. Reasons for initiating revocation or suspension include, but are not limited to:
 - a. Failure to comply with Departmental law enforcement policies, NPS-9, or NPS issued directives.
 - b. Failure to comply with NPS Law Enforcement Code of Ethics and Principles.
 - c. Insubordination, disobedience, or failure to obey lawful orders.
 - d. Willfully and knowingly making untruthful statements of any kind in any verbal or written communication pertaining to official duties, deliberately omitting information, or knowingly making any untruthful statement before any court or to any authorized Government official.
 - e. Unnecessary or excessive use of force.



- f. Unacceptable attitude in enforcement contacts such as verbal abuse, discourtesy, or failure to exercise reasonable and prudent judgment in enforcement contacts as documented by supervisory counseling or appraisal.
- g. Failure to take appropriate enforcement action.
- h. Involvement in criminal activities or conviction of any criminal offense, dishonesty, disgraceful conduct, habitual use of intoxicating beverages to excess or illegal use of narcotics, drugs, or other controlled substances.
- i. Any conduct not specifically set forth herein which is prejudicial to the reputation and good name of the Department or NPS.
- j. Finding of psychological unfitness for law enforcement duty based upon a professional examination conducted by a clinical psychologist or psychiatrist experienced in the evaluation and treatment of mental disorders associated with law enforcement pursuant to approval by the Department Medical Officer as outlined in paragraph B above.
- k. Determination of physical unfitness (eyesight, hearing, excessive abuse of alcohol, drugs, etc.) by a professional medical examination upon the request of the Superintendent.

- 2. The Board will consider the allegations, make a finding of fact and submit recommendations to the Regional Director, the Deputy Regional Director, or the Associate Regional Director for Operations.

D. Suspensions or revocation of Park Protection Designation (PPD)

- 1. The superintendent may suspend or revoke the PPD when it is determined that the designation is no longer needed for management purposes or for cause as enumerated in Chapter 2.

E. Personnel Actions

- 1. The suspension or revocation of a law enforcement commission does not automatically require taking a personnel action, and is not of itself considered an adverse action. Disciplinary or adverse action will be taken only after a thorough review of the circumstances resulting in the suspension or revocation. Supervisors should consult with the Regional Personnel Officer before recommending any disciplinary action.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

BACKGROUND INVESTIGATION CHECK LIST

This is a worksheet for completing background investigations on Law Enforcement Commission applications. When completed the worksheet shall be filed in the Regional Law Enforcement Work Folder.

Check one: Initial Renewal

PLEASE TYPE ALL INFORMATION

Full Name		Date of Birth	Social Security Number
Height	Weight	Color of Hair	Color of Eyes
Driver's License No.		State	Commission No. (If any)
Park		Title/Grade	

Primary Job In Present Location: (if not law enforcement, justify need for commission on separate attachment)

Circle one: Permanent Subject-to-furlough Part-time Seasonal

We certify the following checks have been satisfactorily completed or implemented with no disqualifying records and recommend approval of the Law Enforcement Commission upon completion of the following:

- () -- Employment Background Check (NPS Form 10-129A Confidential Inquiry)
Agency/Bureau _____ Date _____ Completed _____
Agency/Bureau _____ Date _____ Completed _____
- () -- Local Police checks (CSC Opt Form 51, Offense Arrest/Conviction Record Check)
Agency/Bureau _____ Date _____ Completed _____
Agency/Bureau _____ Date _____ Completed _____
Agency/Bureau _____ Date _____ Completed _____
- () -- Personal Qualifications Statement (SF-171)
- () -- Authority for Release of Information (CSC-329A) (required for police checks)
- () -- National Agency Check and Inquiries with Credit Search (Date initiated _____)
(Required Forms: SF-85 (2 copies); SF-87, Fingerprint card (1 copy); SF-171, and OPM Form 1474 used)
- () -- Driver's License Check and submit National Driver Register Form, HS-1047.
Agency/Bureau _____ Date _____ Result: _____
Agency/Bureau _____ Date _____ Result: _____
- () -- List all Law Enforcement Training completed, if applicable in accordance with NPS-9. (Use separate attachments)

Requested by: _____
Initiating Supervisor Signature _____ Date _____

Recommended by: _____
Chief Ranger's Signature _____ Date _____

Approved by: _____
Superintendent's Signature _____ Date _____

OPTIONAL FORM 51 (Rev. 11-75)
Prescribed by
U.S. Civil Service Commission
FPM Chapter 736
5051-107

INQUIRY FOR UNITED STATES GOVERNMENT USE ONLY

This information is requested under the Federal Statute or Executive Order authorities (including E.O. 10450) and may be released by criminal justice agencies in accordance with Department of Justice regulations issued by LEAA-28 CFR 20.21(b)(2).

The person identified below has been appointed to or is an applicant for the position shown. Persons employed in the Federal service must be trustworthy, of good character, and completely loyal to the United States. To help determine whether this person meets these requirements, please search your files and report results on this form as soon as possible. A self-addressed, postage free, envelope is enclosed for your reply. We shall appreciate your cooperation. The information you provide, including your identity, will be disclosed to the person identified below if he or she should request.

Please check your files on all names listed as having been used by this person. It is not possible to furnish fingerprints to aid in identification. Please reply promptly.

STATEMENT TO BE COMPLETED BY THE OFFICE TO WHICH THIS INQUIRY IS ADDRESSED

1. Do the records of your office show that the person identified above has ever been arrested or convicted of an offense against the law, or forfeited collateral, or is now under charges for any offense against the law? (Exclude traffic violations for which a fine of \$30 or less was imposed. any offense committed before 18th birthday which was finally adjudicated in a juvenile court or under a Youth Offender Law, any conviction the record of which has been expunged under Federal or State law, or any conviction set aside under the Federal Youth Corrections Act or similar State authority) ☐ Yes ☐ No
If your answer is "Yes," please list each charge below:

Date	Age Given	Occupation	Offense	Disposition

2. Do you have any reason to question this person's loyalty to the United States? ☐ Yes ☐ No
If your answer to this question is "Yes," please give full details. You may use the back of this inquiry if additional space is necessary.

PLEASE SIGN YOUR NAME BELOW

DATE	SIGNATURE	TITLE
------	-----------	-------

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If your answer is "Yes," please list each charge below:

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If your answer to this question is "Yes," please give full details. You may use the back of this inquiry if additional space is necessary.

PLEASE SIGN YOUR NAME BELOW

DATE	SIGNATURE	TITLE

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

AUTHORITY FOR RELEASE OF INFORMATION

To Whom It May Concern

I hereby authorize any Investigator or duly accredited representative of the United States Office of Personnel Management bearing this release, or a copy thereof, within one year of its date, to obtain any information from schools, residential management agents, employers, criminal justice agencies, or individuals, relating to my activities. This information may include, but is not limited to, academic, residential, achievement, performance, attendance, personal history, disciplinary, arrest and conviction records. I hereby direct you to release such information upon request of the bearer. I understand that the information released is for official use by the Office of Personnel Management and may be disclosed to such third parties as necessary in the fulfillment of official responsibilities.

I hereby release any individual, including record custodians, from any and all liability for damages of whatever kind or nature which may at any time result to me on account of compliance, or any attempts to comply, with this authorization. Should there be any question as to the validity of this release, you may contact me as indicated below.

Signature (Full Name): _____

Full Name: _____

Other Names Used: _____

Parent or Guardian: (If required) _____

Date: _____

Current Address: _____

Telephone Number: _____

PRIVACY ACT NOTICE

Authority for Collecting Information

E.O. 10450; 5 USC 1303-1305; 42 USC 2165 and 2455, 22 USC 2585 and 2519, and 5 USC 3301

Purposes and Uses

Information provided on this form will be furnished to individuals in order to obtain information regarding your activities in connection with an investigation to determine (1) fitness for Federal employment, (2) clearance to perform contractual service for the Federal government, (3) security clearance or access. The information obtained may be furnished to third parties as necessary in the fulfillment of official responsibilities.

Effects of Nondisclosures

Furnishing the requested information is voluntary, but failure to provide all or part of the information may result in a lack of further consideration for employment, clearance or access, or in the termination of your employment.

STANDARD FORM 85
REVISED FEBRUARY 1966
U.S. CIVIL SERVICE COMMISSION
FPM CHAPTER 736

DATA FOR NONSENSITIVE OR NONCRITICAL-SENSITIVE POSITION

IMPORTANT <i>Particular care must be used in completing the items numbered 1 through 9. READ THE INSTRUCTIONS ON THE BACK OF THIS FORM BEFORE ANSWERING ANY OF THESE ITEMS.</i>	1 A. FULL NAME (LAST, FIRST, MIDDLE) B. OTHER NAMES USED		
7 DATES & PLACES OF RESIDENCE From Mo Yr. To Mo Yr.	2 ARMED SERVICES SERIAL NO. AND DATES AND BRANCH OF SERVICE	3 SOCIAL SECURITY NO 5 POSITION	4 DATE AND PLACE (CITY, STATE) OF BIRTH 6 AGENCY NAME AND ADDRESS
	No. and Street Address City and State ZIP Code		
8 DATE OF THIS REQUEST	9 (CHECK ONE) ☐ NONSENSITIVE ☐ NONCRITICAL-SENSITIVE		
10 (CHECK ONE) ☐ SINGLE ☐ MARRIED ☐ WIDOW(ER) ☐ DIVORCED	11 IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME, GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. GIVE SAME INFORMATION REGARDING ALL PREVIOUS MARRIAGES AND DIVORCES.		
12 IDENTIFYING NUMBERS (OTHER THAN SOCIAL SECURITY OR ARMED SERVICES SERIAL, SUCH AS PASSPORT NO., ALIEN REGISTRATION NO., SEAMAN'S CERTIFICATE OF IDENTIFICATION, ETC. GIVE ALL, SPECIFYING WHICH.)			
13 ORGANIZATIONS WITH WHICH AFFILIATED (PAST AND PRESENT), OTHER THAN RELIGIOUS OR POLITICAL ORGANIZATIONS OR THOSE WHICH SHOW RELIGIOUS OR POLITICAL AFFILIATIONS (IF NONE, SO STATE)			
14 DATES, NAMES AND ADDRESSES OF EMPLOYERS (BEGIN WITH PRESENT AND GO BACK TO JANUARY 1, 1937. CONTINUE UNDER ITEM 2 ON OTHER SIDE IF NECESSARY) From Mo Yr. To Mo Yr. Employer No. Street, City, State ZIP Code			
CERTIFICATION I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE, COMPLETE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND ARE MADE IN GOOD FAITH. FALSE STATEMENT ON THIS FORM IS PUNISHABLE BY LAW. DATE SIGNATURE (SIGN ORIGINAL AND FIRST CARBON COPY)			
15 DATE OF APPOINTMENT	16 PLACE OF DUTY (IF DIFFERENT FROM ADDRESS IN ITEM 6)		
17 TYPE OF APPOINTMENT ☐ EXCEPTED ☐ COMPETITIVE	INCLUDES INDEFINITE AND TEMPORARY TYPES OF COMPETITIVE APPOINTMENT		18 CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY
19 THIS SPACE FOR FBI USE (SEE ALSO ITEM 22)		20 NAME AND FULL MAILING ADDRESS OF AGENCY OFFICIAL TO WHOM RESULTS OF INVESTIGATION SHOULD BE SENT. INCLUDE ZIP CODE	

IF MORE SPACE IS NEEDED USE A SEPARATE SHEET OF PAPER. WRITE NAME ON EACH SHEET AND ATTACH TO THIS FORM.

22. REPORT OF INFORMATION DEVELOPED (THIS SPACE RESERVED FOR FBI USE)

DATE:

INSTRUCTIONS

Make sure typewriter produces dark, distinct image

GENERAL INSTRUCTIONS: This form must be submitted for each person entering a nonsensitive or noncritical-sensitive position. See Federal Personnel Manual Chapter 736 and FPM Supplement 296-31, Appendix A, for details on requirements and exceptions. This form is to be prepared in triplicate by the employing agency. Type all answers. Complete all items *except* 19 and 22. If the answer to an item is "No" or "None," so state.

The appointee should furnish the information for items 1B thru 7 and 10 thru 14, and should sign the original and first carbon copy of the certification below item 14. The agency should supply the remaining data from the application, or Standard Form 50, or other records. If more space is needed for any item, use item 21.

ITEMS 1 THRU 9: These items, within the heavy lines, will be photocopied directly from the form to a master for use in printing investigative records and forms. Type the items with special care, making any corrections neatly. Do not extend any answer beyond the edge of the box provided for it. Except for the following, the items are self-explanatory:

Item 1A—Give full name. Initials and abridgments of full name are not acceptable. If no middle name, show "(NMN)"; if initials only, show "(initial only)".

Item 1B—Insert OTHER NAMES USED, such as maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Insert "NEE" before maiden name. For any other name used, insert only the name in item 1B and identify it in item 21; also give in item 21 the dates the name was used. (For example, "Jane Mary Doe, name by former marriage, June 1946 to July 1950".)

Item 2—Give Armed Services serial number. For branch of service show "Army," "AF," "Navy," "Marine" as appropriate. Give month and year the service began and ended, using numbers. (For example, show service from May 1943 to June 1944 as "5/43 to 6/44".)

Item 5—Give title of position for which the form is being completed.

Item 6—Give name of department or agency, installation or office, and city and State where it is located.

Item 7—Give dates and places of residence. Begin with present and go back to January 1, 1937, or applicant's 16th birthday, whichever is later. Use only one line for each address, using standard abbreviations if necessary. Dates may be given as numerals. Do not extend dates beyond the broken line dividing item 7. Continue addresses under item 21 on the other side if necessary. Give ZIP codes only for addresses during the past ten years. The same applies for employers under item 14.

SUBMISSION REQUIREMENTS. For nonsensitive cases, the following forms and papers must be submitted *within three days* after appointment, to the office of the Civil Service Commission which serves your office. For noncritical-sensitive cases, these forms generally must be submitted and the results of the national agency checks received *prior to* assignment to noncritical-sensitive duties:

A. The signed ORIGINAL and one unsigned carbon copy of this form (Standard Form 85).

B. Standard Form 87 (Fingerprint Chart).

C. Original application from which appointment was made. Include investigative information about the person received on voucher forms or otherwise. **RETAIN THE SIGNED CARBON COPY OF STANDARD FORM 85 FOR YOUR FILES.**

CSC

LEAVE THIS SPACE BLANK

SIGNATURE OF PERSON FINGERPRINTED

RESIDENCE ADDRESS

POSITION TO WHICH APPOINTED

SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

TITLE AND ADDRESS

LAST NAME

FIRST NAME

MIDDLE NAME

U. S. CIVIL SERVICE COMMISSION FINGERPRINT CHART

DEPARTMENT, BUREAU, AND DUTY STATION (*City and State*)

HEIGHT (*Inches*)

DATE OF BIRTH

SERIAL NUMBER (*CSC use only*)

PLACE OF BIRTH

COLOR OF EYES

COLOR OF HAIR

WEIGHT

SEX

LEAVE THIS SPACE BLANK

CLASS.

REF.

1. RIGHT THUMB

2. RIGHT INDEX

3. RIGHT MIDDLE

4. RIGHT RING

5. RIGHT LITTLE

6. LEFT THUMB

7. LEFT INDEX

8. LEFT MIDDLE

9. LEFT RING

10. LEFT LITTLE

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

LEFT THUMB

RIGHT THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

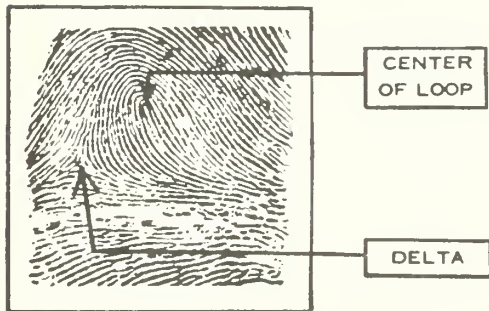
INSTRUCTIONS

To obtain classifiable fingerprints:

1. Use printer's ink.
2. Distribute ink evenly on inking slab.
3. Wash and dry fingers thoroughly.
4. Roll fingers from nail to nail, and avoid allowing fingers to slip.
5. Be sure impressions are recorded in correct order.
6. If an amputation or deformity makes it impossible to print a finger, make a notation to that effect in the individual finger block.
7. If some physical condition makes it impossible to obtain perfect impressions, submit the best that can be obtained with a memo stapled to the card explaining the circumstances.
8. Examine the completed prints to see if they can be classified, bearing in mind the following:

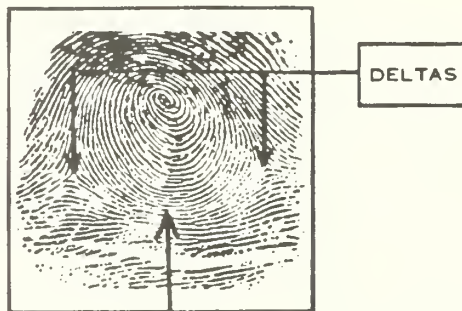
Most fingerprints fall into the patterns shown below (other patterns occur infrequently and are not shown here):

1. LOOP



THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL



THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH



ARCHES HAVE NO DELTAS

- (a) A delta (Δ) is the point at which the lines forming the loop or whorl pattern spread and begin going in different directions. All loop prints have one delta. Whorl prints have two.
 - (b) Loop prints cannot be classified unless the center of the loop and the delta, and the lines between them, are clear.
 - (c) Whorl prints cannot be classified unless the two deltas and the lines connecting the deltas are clear.
 - (d) Arch fingerprints can be classified if a sufficiently clear impression is obtained to permit identification of the pattern as being an arch.
9. If, upon examination, it appears that any of the impressions cannot be classified, new prints should be made. If not more than three impressions are unclassifiable, new prints of these fingers may be taken and pasted over the defective ones. If more than three are unclassifiable, make a new chart.

THIS SPACE FOR FBI USE

AGENCY REQUEST FOR REIMBURSABLE OPM PERSONNEL INVESTIGATION

(See reverse for instructions for completion)

A. Agency Name and Address		B. Billing Address (if different than 1A)	
		C. SIBAC Number	D. Accounting Data
		OR	
E. Type of Background Investigation Requested			
Background Investigation (BI)		☐ Mail case to address in 1A ☐ Pick up at the Office of Personnel Investigations ☐ Other (by agreement):	
Special Background Investigation (SBI)			
Advance NAC report			
F. Type of Service Requested			
☐ 35 days		☐ 75 days ☐ 120 days	
G. Required Additional Coverage Factors			
Managerial/Supervisory Attributes		☐ Overseas Attributes (Subject) ☐ Law Enforcement Attributes ☐ Overseas Attributes (Spouse) ☐ Other (attach sheet)	
Public Contact Attributes			
H. Location of Personnel Folder		E. Location of Security Office File, if Pertinent Information is in File and Not Attached.	F. Spouse Alien File Location and Number (if search is required)
Other type of Investigation Requested (by agreement)			
National Agency Check and Inquiries (NACI) NACI and Credit (NACIC) Reimbursable Suitability Investigation (RSI)		☐ National Agency Check (NAC) ☐ Periodic Reinvestigation (PRI) ☐ NAC and Credit (NACC) ☐ Credit Search (CS) ☐ Other:	
Itemized Documents Enclosed (or equivalents)			
SF 86 (2 copies) ☐ SF 87 (1 copy) SF 85 (2 copies) ☐ FD 258 (1 copy) SF 85A (1 copy) ☐ SF 171 (1 copy) OPM Form 329A (and as needed: 329; 329B; 329C)		☐ Preappointment inquiry/Security interview ☐ Activity Outside U.S.A. (see NOTE in instructions) ☐ Other:	
Name of Subject			
Signature of Requesting Official		6. Position	
		Telephone Number	8. Date
FOR OPM USE ONLY			

DATE RECEIVED	TYPE OF CASE SCHEDULED	OPM CASE NUMBER
---------------	------------------------	-----------------

AGENCY INSTRUCTIONS FOR COMPLETING OPM FORM 1474

1. AGENCY IDENTIFICATION: Complete A; B as needed; and C or D. Then complete item 2 or 3.

2. A. TYPE OF BACKGROUND INVESTIGATION REQUESTED: Indicate whether completed case is to be mailed or picked up and the type of case requested.

B. TYPE OF SERVICE REQUESTED: 35 DAY SERVICE is designed for cases for which there is a critical need; and is targeted for delivery in 35 days from the date request is received. 75 DAY SERVICE is designed for normal preplacement case needs; and is targeted for delivery in 75 days from the date request is received. 120 DAY SERVICE is designed for situations where post-placement investigation is approved and timeliness is not essential. NOTE: It is anticipated that, on occasion, workload demands may delay completion of cases. OPM will make billing adjustments on the 35 and 75 day service cases when OPM is responsible for the delay. If the delay is caused by investigative work performed by other agencies or sources the timeliness standard will be considered met if all OPM investigative work is completed and delivered as agreed.

C. REQUIRED ADDITIONAL COVERAGE FACTORS: Indicate if additional areas of inquiry are required due to the nature of the position, as follows:

Managerial/Supervisory Attributes: Ability to speak and write clearly and concisely; scope, quality and extent of supervisory experience; ability to get people to work together effectively, resourcefulness, initiative, adaptability, judgement, discretion, and ability to cooperate with co-workers, supervisors and subordinates.

Public Contact Attributes: Ability to meet and deal with all types of people; diplomacy; tact; personal appearance and speaking ability.

Law Enforcement Attributes: Ability to react to emergencies and conditions of stress, maturity, stability, judgement and discretion.

Overseas Attributes: Ability to represent the Government favorably; ability to meet and deal successfully and to adjust to a foreign environment; whether there are any prejudices, defects in judgement, personal problems, traits or weaknesses which would discredit the United States.

D., E. and F. Provide information or show "not applicable" or "unknown."

3. OTHER TYPE OF INVESTIGATION REQUESTED: Indicate the type of case requested. If an agency is requesting a large volume of any of these investigations, special billing arrangements will be made.

4. ITEMIZED DOCUMENTS ENCLOSED: Check to see that the required enclosures or equivalents are attached. (Use OPM Form 329A release for general purposes; OPM Form 329B for drug and alcohol abuse treatment information; OPM Form 329C for financial records; OPM Form 329 for information from a source that requires a specifically addressed release.) NOTE: If the subject has spent 6 months or more of the investigative period outside the United States, obtain and submit with this form a list of persons presently in the United States who can provide information about this period and any other pertinent data. As a minimum, provide: name and current U.S.A. address of contact; nature, place and length of contact outside U.S.A.

TYPE OF CASE	CONTRACTOR PERSONNEL	OTHERS
NAC, NACC	SF 85A (1 copy) FD 258 (1 copy) SF 86 (2 copies)	SF 85A (1 copy) SF 87 (1 copy) SF 86 (2 copies)
NACI, NACIC	SF 85A (1 copy) FD 258 (1 copy) SF 86 (2 copies)	SF 85 (2 copies) SF 87 (1 copy) SF 171 (1 copy)
BI, SBI RSI, PRI	SF 86 (2 copies) FD 258 (1 copy) OPM 329A (1 copy)*	SF 86 (2 copies) SF 87 (1 copy) OPM 329A (1 copy)*

*Also send OPM release Forms 329, 329B, or 329C if appropriate.

5., 6., 7. and 8: Complete each item and submit an OPM Form 1474 for each person to be investigated.

Send ALL requests listed in 2A to:

OPM-NACI CENTER

BI

BOYERS, PA 16018

Send ALL requests listed in 3 to:

OPM-NACI CENTER

NAC

BOYERS, PA 16018

Telephone inquiries on case scheduling should be made to:

FTS: 722-6442

COMMERCIAL: (412) 644-6442

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Guideline
Chapter 6
Exhibit 7

CONFIDENTIAL INQUIRY

Applicant's Name

Position for which being considered

INDICATE IN WHAT CAPACITIES (by check mark in the appropriate box below) and for what period of time you have been associated with the applicant by giving in the appropriate blanks the years in which your association began and ended (such as from 1954 to 1957).

- ☐ His Employer (From: _____ To: _____) ☐ His Co-Worker (From: _____ To: _____)
or Supervisor
☐ His Subordinate (From: _____ To: _____) ☐ Other _____ (From: _____ To: _____)
(Specify)

Name of organization, office, park, etc., in which you were associated with him:

What, in brief, were his duties during the period in which you were associated with him?

INDICATE BY CHECK MARK IN THE APPROPRIATE COLUMN THOSE ITEMS IN WHICH YOU FEEL QUALIFIED TO EVALUATE THE APPLICANT.	OUT- STANDING	ABOVE AVERAGE	COMPETENT OR AVERAGE	WEAK OR BELOW AVERAGE	NOT OBSERVED OR KNOWN
a. Ability to meet and deal with people					
b. Alertness-mental agility					
c. Professional ability					
d. Initiative					
e. Leadership					
f. Dependability					
g. Energy					
h. Accuracy					
i. Oral expression					
j. Written expression					
k. Attendance record					
l. Acceptance of supervision					
m. Personal integrity					
n. Emotional stability					
o. Character, reputation					
p. Disposition, attitude					
q. Cooperativeness					
r. Conduct					
s. Sociability					
t. Personal appearance					
u. Physical stamina					
v. Adaptable to group living					

5. a. Do you have any reason to question this person's loyalty to the United States? ☐ Yes ☐ No
- b. Do you have any reason to believe this person belongs, or has belonged, to any Communist or Fascist organization, or to any organization, or to any organization which advocates overthrowing or altering our constitutional form of government by force or other illegal means? ☐ Yes ☐ No
- c. To your knowledge does this person associate, or has associated, with any person whose loyalty to the United States is questionable or who belongs to any of the types of organization described in (b) above?
☐ Yes ☐ No

If your answer to any of these questions is "yes" please explain fully under Item 10.

6. Do you have any information indicating that this person's employment would be against the interests of the national security?
☐ Yes ☐ No If your answer is "yes" please explain fully under Item 10.

7. To your knowledge has he ever been discharged or has he resigned from any employment after being told his conduct or work was not satisfactory? ☐ Yes ☐ No If your answer is "yes" please give the following:

a. Name and address of employer:

b. Reason for discharge or resignation:

8. Do you have knowledge of any behavior, activities, or associations which tend to show that this person is not reliable, honest, trustworthy, and of good conduct and character? ☐ Yes ☐ No If your answer is "yes" please explain fully under Item 10.

9. Would you employ this applicant in a position similar to the one indicated? ☐ Yes ☐ No
If your answer is "no", please explain fully under Item 10.

10. GENERAL COMMENTS. *(Use this space for any additional information, comments, evaluation, interpretation, or explanation of the above material that you may wish to add.)*

PLEASE SIGN YOUR NAME BELOW

(Signature)

(Title or Position)

(Date)

REQUEST FOR NATIONAL DRIVER REGISTER FILE CHECK
(TYPE OR PRINT)

FORM APPROVED
O.M.B. No. 04-P2082

NAME (First) (Middle) (Last)			DATE OF BIRTH (Month Day Year)					
OTHER NAMES USED IN APPLYING FOR DRIVER LICENSES (Maiden name names by former marriages or other names used)			DRIVER LICENSE NUMBER					
(First) (Middle) (Last)			SOCIAL SECURITY NUMBER (See note below)					
(First) (Middle) (Last)			NOTE: Authority to collect information is provided by PL 89-562. The routine use is to aid the search for an individual's record by providing a more precise identification. Disclosure of the Social Security Number may be mandatory in licensing jurisdictions that require its submission. For National Driver Register purposes however, disclosure is voluntary.					
(First) (Middle) (Last)								
FROM:			MALE	FEMALE	HEIGHT	WEIGHT	COLOR EYES	POSTING CODE
			☐	☐	____ FT ____ IN			
			DATE:	MAIL THIS FORM TO:		NATIONAL DRIVER REGISTER NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION WASHINGTON, DC 20590		

TRAINING STANDARDS

I. Introduction

Law enforcement training requirements for National Park Service employees are guided by a combination of law, Departmental policy and NPS guidelines. DM 446, issued in 1974, identified minimum training standards for a law enforcement commission and the annual forty (40) hour refresher requirement. The General Authorities Act further established training requirements prerequisite to a law enforcement commission. Subsequent NPS policy has identified two (2) levels of law enforcement commissions, each with specific training requirements.

II. Policy

It will be the policy of the National Park Service to develop law enforcement training requirements in conformance with statutory laws and Departmental guidelines.

III. Guidelines

A. Full law enforcement commission.

1. National Park Service employees may qualify for a full commission by fulfilling EITHER of the following requirements for law enforcement training.
 - a. Satisfactory completion of the Basic Law Enforcement for Land Management Agencies program at the Federal Law Enforcement Training Center (FLETC). Present policy limits participation in this program to permanent employees.
 - b. Employees who have received extensive law enforcement training in other police academies or accredited institutions may qualify for a full commission. Such training must have been in the subjects and hours identified in the Basic Law Enforcement for Land Management Agencies syllabus. Individual parks or regions may provide needed subject hours in those areas oriented toward Federal law and NPS regulations and policies. Recency of employment as a law enforcement officer (not more than a three year break in service), and quality of training will be used by the Region in recommending approval by the Law Enforcement Specialist, WASO.

2. In addition to law enforcement training, all commissioned rangers must maintain at minimum a current American Red Cross Standard First Aid Card (or equivalent, excluding multi-media) and cardiopulmonary resuscitation certification.
3. Full law enforcement commissions can be issued to seasonal employees based on satisfactory completion of the aforementioned training requirements.
4. Those permanent employees whose commission has expired may reapply for a commission. The Regional Law Enforcement Specialist shall determine the training requirements for issuance of a commission based on recency and quality of training and experience plus the job requirements.

B. Seasonal Law Enforcement Commission

1. Seasonal employees assigned to law enforcement duties will be required to complete a minimum of training as specified in the Seasonal Ranger Training Syllabus. Such training certification may be acquired in one of three ways:
 - a. Completion of a law enforcement training course for seasonal employees at an institution which has been approved by the Department and the Division of Training, WASO.
 - b. Completion of law enforcement training courses at accredited institutions or law enforcement academies in the subjects and hours stipulated in the Seasonal Ranger Training Syllabus. This training must have been completed within three (3) years prior to application for the commission. Parks and regions may provide the hours of training in those subjects oriented toward Federal law and NPS policies and regulations.
 - c. Completion of law enforcement training courses at accredited academic institutions or law enforcement academies when recency of training exceeds 3 years, provided that:

- (1) The program included those subjects in the hours specified in the Seasonal Ranger Training Syllabus. Those subjects that are specific to the NPS may be provided by the individual park or the respective region.
- (2) The employee has recently been actively involved in law enforcement. A limitation of three (3) years is established as the maximum time for absence from active law enforcement duties.

Quality of basic training, recency of refresher training, and quality of performance as a law enforcement officer may be utilized by the Regional Law Enforcement Specialist as determining factors in recommending qualification.

2. In addition to law enforcement training, rangers holding a seasonal commission must maintain a current American Red Cross Standard First Aid Card (or equivalent, excluding multi media) and cardiopulmonary resuscitation certification.
3. Seasonal employees holding this commission who convert to permanent status may, if approved by the Superintendent, maintain their limited authority for a period not to exceed two (2) years. During this period, arrangements will be made to schedule the employee for the Basic course at FLETC.

C. Special Police Commission

Park areas may designate employees of other law enforcement organizations as "Special Police" in accordance with the General Authorities Act. Employees so designated must meet the requirements set forth in this Chapter for either the seasonal or full law enforcement commission and will have the same authority as NPS employees with a comparable Law Enforcement Commission. Park managers should develop memoranda of understanding with the chief executive of the agency from whom the service is desired prior to such designation and forward the necessary certification papers to the Regional Law Enforcement Specialist for review prior to approval by the Regional Director

D. Criminal Investigator Training

Only those employees who hold full law enforcement commissions will be considered as candidates for this training.

E. Refresher Training

The minimum training requirements are established by the Department of the Interior and set forth in DM 446 4.3. This standard requires that law enforcement personnel complete at least forty (40) hours of in-service training each year.

The forty (40) hours of training may be accomplished in a single session or done in increments throughout the year. Incremental sessions should be documented to insure compliance with the standard.

The following subjects are required as mandatory annual training for all commissioned employees:

1. NPS Policies and Guidelines - This subject should address any new or revised policies and guidelines.
2. U.S. Code and CFR - This subject should address any additions or amendments to 36 CFR as well as the U.S. Criminal Code.
3. Recent Court Decisions

The remainder of the training should be targeted at knowledge and skills relevant to the participant's position. Law enforcement employees in managerial positions can satisfy this training requirement by completing courses in law enforcement managerial skills.

Semi-annual firearms training up to eight (8) hours total may be included to satisfy the forty (40) hour requirement.

F. Suspension of Law Enforcement Authority

Notwithstanding the provisions of any other chapter, employees commissioned in accordance with this chapter who fail to complete the required annual refresher training or firearms requalification, or maintain First Aid and CPR Certification will have their authority suspended by the Superintendent, or Regional Law Enforcement Specialist until such training has been acquired.

G. Training with Blank Ammunition

Training with commercially manufactured blank ammunition for use in handguns is approved in NPS training sessions.

No weapons capable of chambering or firing any type of live ammunition may be used in training. These guns must be visibly marked to be readily identified as safe.

Shotguns and rifles will not be used to shoot blank ammunition in training sessions.

H. Park Protection Designation

The training for this designation may be conducted at the park and regional level and must consist of at least forty (40) hours training in the following subjects.

1. Human Relations
2. Identifying CFR Violations
3. Philosophy and Objectives of NPS Law Enforcement
4. Authority and Jurisdiction
5. Report Writing
6. Testifying in Court
7. Preservation of Park Resources
8. Recognizing and Reporting Criminal Violations

In addition to the above training, completion of a standard first aid course is required.

It is recognized that each park may have problems that other areas may not experience. Therefore, the number of hours taught on the above subjects as well as additional subjects may be determined by the Superintendent with the concurrence of the Regional Law Enforcement Specialist.

It is recommended that all seasonal employees with this designation receive applicable refresher training annually.

DEFENSIVE EQUIPMENT

I. Introduction

One of our greatest trusts is that which involves the responsible and discriminate use of weapons in the performance of our duty. It is an immense responsibility requiring the sound judgment and discretion of those authorized to carry defensive equipment.

The gravity of a decision to use a weapon cannot be over emphasized. Law enforcement commissioned employees must answer for the results of their acts. Morally, the matter rests within their consciences; the legal responsibility becomes a question for the court, and their conduct as professionals is judged by their supervisors and their peers in and out of the National Park Service.

II. Policy

The policy of the National Park Service is to meet its law enforcement responsibilities by promoting an effective program to ensure the protection of human life, personal property and park resources. The Service will develop and maintain an effective program with competent, highly trained and well-equipped personnel, using modern technological methods. To meet these objectives and considering the hazards and the potential element of danger in every law enforcement situation, all persons engaged in law enforcement activities will be properly trained and uniformly armed and equipped.

Employees, as well as their supervisors, are accountable for the use of any weapon. The only justification for the use of deadly force is to prevent serious injury or death.

The wearing, carrying, use, and purchase of defensive equipment and qualification standards shall be in accordance with the defensive equipment guidelines. The defensive equipment guidelines shall be followed explicitly and are not subject to modification in application.

III. Guidelines

A. Wearing and Carrying of Defensive Equipment

1. The NPS uniform including a visible badge, patch, and name tag will be worn in accordance with NPS policy. In addition, commissioned employees engaged in law enforcement duties will be distinguishable by the wearing of required weapon, handcuffs and ammunition holder.

2. Commissioned employees not assigned to duties with a law enforcement responsibility will not routinely be armed. These persons may be required by their park areas to have weapons available. Typical non-enforcement duties where weapons would not routinely be worn include: visitor center duty, concession inspections, interpretive programs, maintenance or resource management activities, and entrance station duty.

When in uniform and performing duties with law enforcement responsibilities, commissioned employees will be armed. Such duties include, but are not limited to, day or night patrol by vehicle, foot, horse or boat, hunting and poaching patrol, prisoner transport, enforcement back-up requests, criminal investigations, response to intrusion alarms, disturbance calls, and service of warrants. In any other instances requiring the attention of commissioned employees where the possibility of physical harm exists, the employees may be armed at their discretion. Employees while on backcountry patrol may wear the service revolver or carry it with other equipment at their discretion. Employees involved in law enforcement duties are not expected to remove defensive equipment to enter buildings, while at lunch, etc., unless they have terminated enforcement responsibilities for the tour of duty. The term "armed" is minimally defined as wearing on the person handcuffs, with case, 4" revolver with holster, and ammunition holder. When working plain clothes or on backcountry foot patrol, when defensive equipment is routinely carried in a back pack, employees may carry a revolver with less than 4" barrel with approval of the Superintendent. Commissioned law enforcement supervisors not routinely assigned to law enforcement duties will have their firearms available for response to an emergency. These supervisors, when accompanying subordinates engaged in law enforcement duties will be minimally armed as defined in this policy. A revolver may be worn in a shoulder holster when the employee is performing duties while in uniform, where special protective clothing (waders, snowmobile suits, etc.) make access to the weapon difficult or where the weapon may be damaged by water, etc. if worn on the belt. This authorization may be made by the Superintendent.

Chemical weapons may be worn when the employee feels the situation warrants or when told to do so by the supervisor. The Superintendent may establish policy for wearing or carrying the baton.

3. Only Service issued or Service approved weapons will be carried or worn while on duty.

4. When the revolver is transported on scheduled commercial carriers, in conjunction with authorized enforcement operations, it will be placed unloaded in the employee's locked hard-sided suitcase and transported in the baggage compartment (except in prisoner transport). In the case of commercial air travel, the ticket agent shall be notified of the fact that an unloaded weapon is being transported in locked baggage prior to checking the baggage with the airline. Neither handcuffs, ammunition nor batons will be transported in the passenger compartment of a commercial carrier. Chemical agents will not be transported on commercial carriers.
5. When the employee is performing plainclothes law enforcement duties, the revolver will be holstered in such a manner as to be concealed from sight.
6. The carrying of approved weapons by off duty employees when not in uniform will be in accordance with individual park policy.
7. The carrying and use of firearms outside of areas of National Park Service jurisdiction by employees when not charged with law enforcement responsibility must be in accordance with Federal law and applicable State and local regulations and park policy.
8. Currently authorized service ammunition will be used. No other ammunition is approved.
9. Weapons and other defensive equipment will not be loaned to or used by any unauthorized persons.
10. The routine carrying of shotguns or rifles in vehicles must be approved by the Superintendent. When carried, they may be located in the trunk or in the passenger compartment in a locked mount.
11. Weapons will be worn when transporting prisoners on commercial air carriers in accordance with applicable Federal Aviation Administration or other regulations.
12. Each employee is responsible for providing security for defensive equipment while on or off duty.

B. Use of Defensive Equipment

1. Lethal Weapons--The only justification for the use of deadly force is to prevent serious injury or death.

Commissioned Employees:

- a. Never removes the revolver from the holster unless there is a demonstrated potential for its legitimate use.
- b. Never fires warning shots.
- c. Never fires a gun in the apprehension of a misdemeanor.
- d. Should avoid using a firearm as a striking instrument.
- e. Never fires at or from a moving vehicle unless an occupant of the vehicle is using or attempting to use deadly force against others.
- f. Never carries a cocked revolver.

2. Non-Lethal Weapons--The only justification for the use of a non-lethal weapon is in self defense or defense of others, to effect an arrest where either deadly force or extreme physical force would be otherwise required, or in the dispersal of an unlawful group.

Commissioned Employees:

- a. Avoids discharging a chemical agent directly into the eyes or face of a subject at close range (less than two (2) feet).
- b. Provides the same degree of security to the chemical agent dispenser that is afforded the revolver.
- c. Avoids discharging a large amount of chemical agent into a confined space such as a small room or closed automobile.
- d. Avoids discharging chemical agents in the immediate vicinity of infants.
- e. Insures that all persons exposed to chemical agents are treated according to prescribed procedures.
- f. Avoids delivering a blow to the head or face with the baton.

3. Restraining Devices--Any arrested person should be handcuffed to ensure the safety of the employee, the public and the prisoner.

Commissioned Employees:

- a. Always double lock handcuffs once they are applied.
- b. Avoids using handcuffs to secure a person, unattended, to a fixed object.
- c. Avoids using handcuffs to secure a person to other law enforcement personnel.
- d. Avoids using handcuffs to secure a person to a vehicle or vessel.
- e. Avoids leaving a handcuffed person unattended.
- f. Always insures that a prisoner to be transported over water is wearing a U.S. Coast Guard approved personal flotation device.
- g. Unless circumstances dictate otherwise, handcuffs prisoners with their hands behind their back.

C. Reports and Investigations

1. Lethal Weapons:

- a. Use. For the purpose of this section, the term "use" as applied to firearms means the pointing of a firearm at an individual, or any discharge of a firearm.
- b. "Use" of a lethal weapon shall be documented and reported as follows:
 - (1) Approved training, administrative use, and weapons maintenance will be documented in accordance with established park procedures.
 - (2) Pointing a firearm at a person(s) during approach and arrest of a suspected felon(s) will be documented in detail on supplementary case incident form 10-344. The Superintendent will be notified as soon as is reasonable.

- (3) All other "use" will be documented in detail on case incident form 10-344. The Superintendent and Regional Law Enforcement Specialist will be notified as soon as reasonable. Copies of reports involving such use of any lethal weapon will be submitted to the Regional Law Enforcement Specialist and the Branch of Ranger Activities, Washington Office. The supervisor will assure that an immediate investigation is made by qualified law enforcement personnel.
- c. Whenever the use of any lethal weapon results in injury or death, the employee involved will be placed immediately on non-law enforcement duty and the law enforcement commission suspended. If circumstances warrant, administrative leave will be ordered pending investigation.
- d. Whenever a firearm is discharged other than for the authorized destruction of an animal or for the purpose of approved training a Board of Review will be convened subject to the conditions set forth below:
 - (1) In any case involving accidental discharge of a firearm the Superintendent will establish a Board of Review as soon as practicable. When the incident does not lead to death, personal injury or extensive property damage the board may be composed of park personnel and will have no less than three (3) persons who will review the incident. No less than one member will be a commissioned employee identified by the Superintendent.
 - (2) In any case where the discharge is intentional or results in death, personal injury or extensive property damage the Superintendent will immediately notify the Regional Director and establish a Board of Review. The Board will have no less than three (3) persons who will review the incident. No less than one member of the Board will be a fully commissioned law enforcement employee identified by the Regional Director. One member of the Board may be identified from within the region or within 500 miles of the park by the person whose actions are to be reviewed. The Superintendent may identify a supervisory official from another law enforcement agency to be a member of the Board.
 - (3) The functions of a Board of Review will include, as a minimum, the following:

- (a) Finding the facts and circumstances of the incident and those which may have contributed to it.
 - (b) Identifying legal and policy requirements which apply to the facts of the incident and determining compliance with those requirements by all individuals involved.
 - (c) Conducting an objective critique of the incident, including a review of applicable operational procedures.
 - (d) Based on the facts of the incident, making recommendations, as appropriate, in the areas of policy, procedures, equipment, training, counseling and disciplinary actions for the purpose of improving operations and individual performance.
 - (e) Deliberation and conclusions of the Board will remain confidential, consistent with the Privacy Act and other administrative procedures that serve to protect all employees.
- (4) In cases involving either accidental or intentional discharge resulting in property damage, personal injury or death, no board will be convened without prior consultation with the United States Attorney's office when there is a possibility of that office's involvement for prosecution or tort purposes.
- (5) The Board is authorized to require the appearance of any NPS employee having knowledge of the facts related to the incident. The testimony may be tape recorded for the Board's use in clarifying points later in its deliberations.
- (6) The results of the investigation, the findings of the Board and the Superintendent's recommendation for action will be forwarded to the Regional Director, the Deputy Regional Director or Associate Regional Director for Operations. All pertinent data will be forwarded to the Associate Director, Park Operations, within ten (10) days after being reviewed in the regional office.

- (7) Whenever someone is injured or killed through the use of deadly force by a commissioned employee, the Superintendent will arrange for psychological counseling for the employee by a clinical psychologist or psychiatrist experienced in handling trauma associated with police activity. This is solely for the purpose of alleviating and preventing any psychological problems that could develop if no treatment was given.
- (8) The Commission will be returned and the employee returned to Law Enforcement Duty when:
 - (a) A favorable determination is made by the Regional Director, Deputy Regional Director, or Associate Regional Director for operations based on the findings of the Board.
 - (b) A written document is received from the clinical psychologist or psychiatrist certifying that the employee is ready to resume law enforcement responsibilities.

2. Non-Lethal Weapons:

- a. In cases where a non-lethal weapon is used with no resulting injury or death, the employee using the weapon will report the circumstances surrounding the use to the immediate supervisor. Details concerning the incident and any investigation will be documented on the supplementary case incident record (10-344).
- b. In cases where the use of non-lethal weapons results in serious injury, death or extensive property damage the Superintendent will immediately notify the Regional Director and establish a Board of Review as required in II C 1(d)(2) of this Chapter.

3. Restraining Devices:

The use of any restraining device will be documented by the responsible employee utilizing the supplementary case incident record (10-344) concerning the particular incident.

Review of the incident is the responsibility of the immediate supervisor who will determine if additional reporting or investigation is needed.

D. Requalification Standards

1. Handgun--

- a. Permanent employees with either a seasonal or full law enforcement commission will:

(1) Qualify on the approved NPS day fire Practical Pistol Course (PPC) course twice each year with any handgun carried as a duty weapon, using Service approved ammunition and the reloading method routinely used in the field. Such semi-annual qualifications will minimally be three (3) months apart.

(2) Qualify once each year on an approved reduced light course.

- b. Seasonal employees with either seasonal or full law enforcement commission will:

(1) Qualify on the approved NPS day fire PPC course with any handgun carried as a duty weapon, using Service approved ammunition and the reloading method routinely used in the field. Such qualification is required prior to assumption of law enforcement duties for each seasonal appointment.

(2) Qualify once each calendar year on an approved reduced light course.

- c. A score of at least 70 percent is the minimum qualifying score in both day and reduced light PPC courses.

- d. All qualifications are to be conducted and documented by a certified firearms instructor.

- e. Use of a regionally approved stress course is authorized.

2. Shotguns and Rifles--Each commissioned employee authorized to carry a shotgun or rifle will have semi-annual training and familiarization sessions with all weapons he/she is authorized to carry. A minimum qualifying score of 70% is required. Evidence of this training will be documented by a firearms instructor. Records of all qualifications on firing will be maintained at individual park areas.

3. Chemical Agents--All commissioned employees authorized to carry chemical agents will receive at least four (4) hours of training by an approved instructor in the use and effect of chemical agents including the proper treatment and decontamination procedures. Additional training will be provided in accordance with respective State requirements.
4. Batons--Two (2) hours initial basic training is the minimum requirement for each type baton used. One (1) hour annual refresher training is required for each type baton used.
5. A record of all qualifications with defensive equipment will be forwarded to the Regional Law Enforcement Specialist in accordance with Chapter 6.

E. Inspections

1. All service issued and approved weapons will be inspected by a certified firearms instructor prior to each qualification. Inspections will be documented along with the qualification scores.
2. The following items should serve as a guide to inspections:
 - a. No unauthorized equipment;
 - b. No unorthodox changes will be made to the basic mechanisms of any firearm. No alterations will be made to holster, ammunition, or other defensive equipment;
 - c. Firearms will be clean and in proper and safe mechanical condition.
 - d. Age of ammunition and chemical agents should also be checked during inspections. Previously carried ammunition should be used for training.
3. Each park will conduct at least an annual inventory of all defensive equipment.

F. Purchase and Accountability of Equipment

All NPS defensive equipment will be the property of the park. New capitalized law enforcement equipment needs will be identified and purchased by the park after consultation with the Regional Law Enforcement Specialist.

Existing equipment now assigned to individual employees through central issue, region, or other sources, is to be reassigned to and maintained on the park inventory.

A signed hand receipt shall be obtained whenever defensive equipment is issued to individuals. Receipt for Property, DI Form 105, shall be used for this purpose. Hand receipts shall be filed in a manner which will allow the equipment in the possession of each individual to be readily determined.

Appropriate procedures shall be established to insure that when individuals transfer or leave the NPS, weapons in their possession are turned in to appropriate officials.

G. Description of Authorized Defensive Equipment

1. Lethal Weapons:

- a. Handgun (Service Issue)--American made, six shot, double action revolver .38 caliber or .357 caliber (.44 magnum may be authorized for law enforcement duties by the Superintendent for specific areas where wildlife presents an additional hazard). Four (4) inch barrel, adjustable sights for windage and elevation, blue steel or stainless steel (depending on area needs). Existing handguns in good functional condition, manufactured after 1958, may be retained. All new purchases will meet the above standard. Personally owned handguns are authorized but must meet the same standard as Service issued weapons. Written authorization of the Superintendent is required. All personal weapons will be inspected by a competent gunsmith and checked through the NCIC.
- b. Handgun-Undercover or Plainclothes (Service Issue)--American made five or six shot, double action revolver .38 caliber or .357 caliber, 2 or 2½" barrel, adjustable or fixed sights, round or square butt, blue or stainless steel. All new purchases will meet the above standard and will be capable of safely firing the ammunition authorized in this chapter. Personally owned handguns must meet the same standards as service issued handguns.
- c. Shotgun--12 gauge, pump action, receiver milled from solid steel block, 2-3/4 inch chamber, rifle sights are authorized, tubular magazine, cylinder bore, cross bolt safety, 18-20 inch barrel, blue steel or Parkerized finish, wood or folding stock and forearm (American manufacture). No magazine extensions. All new purchases will meet the above standards.

- d. Rifles and Carbines-- .223 or any .30 caliber, semi-automatic, bolt or pump action, stainless, blue or Parkerized finish, adjustable sights for windage and elevation. Telescopic sights optional. New purchases for law enforcement rifles will be semi-automatic, .223 caliber, carbine style, gas operated, detachable box magazine, stainless, blue or Parkerized finish, adjustable sights for windage and elevation. Purchase of new rifles for law enforcement purposes must be approved by the Regional Law Enforcement Specialist. This standard does not apply to rifles purchased for wildlife management.

2. Non-Lethal Weapons:

- a. Chemical agents--Chemical CS/CN, aerosol type, American manufacture, minimum range ten (10) feet.

- b. Batons:

Police Baton-- Plastic, hardwood or aluminum construction, perpendicular leverage handle optional, 23 - 26" in length, brown or black in color.

Riot Baton--Plain style, 36" in length.

Mini-Baton--5½ long, 5/8" diameter.

Only Service issued non-lethal weapons are authorized. Black jacks, brass knuckles and other personal defensive equipment are not authorized.

3. Restraining Devices:

- a. Handcuffs--American manufacture, double lock capability, nickel or chrome finish.
- b. Disposal cuffs--plastic self locking type.
- c. Leg irons--standard police type.
- d. Restraining belt--standard police type, leather or chain with metal D-ring.
- e. Restraining jacket--standard police or hospital type.

4. Related Equipment:

a. Ammunition:

- (1) Handgun--American manufacture, .38 Special, 110 grain, controlled expansion, with manufacture code number Q-4070(+P+).(Not for use in six (6) shot Model K Smith & Wesson revolvers manufactured prior to 1958 or alloy frame five (5) shot, two (2) inch revolver.)
- (2) Handgun--American manufacture, .38 Special, 110 grain, controlled expansion +P for use in alloy frame or any five (5) shot two (2) inch revolver.
- (3) Handgun--American manufacture, .357 magnum, 158 grain, jacketed soft point, for use in areas where wildlife poses an additional hazard.
- (4) Handgun--American manufacture, .44 magnum, 240 grain, jacketed soft point or semi-wadcutter lead.
- (5) Shotgun--American manufacture, 12 gauge, plastic cased, No. 4 buck shot, or 7/8 oz. or 1 oz. rifled slug.
- (6) Rifle--American manufacture, jacketed soft point or hard ball for caliber needed.

5. Leather Equipment:

- a. Holster--American manufacture, plain, cordovan color, no tooling, break-front design or top draw, covered trigger guard, vertical or standard tilt, safety strap, belt loop style for 2¼" belts. Break-front holster must have a cylinder well which locks the revolver in place preventing the weapon from being drawn upwards or from the rear. Holsters must be of leather construction. Holsters will be specifically designed for the model and caliber of the weapon being carried.
- b. Handcuff case--American manufacture, leather, plain cordovan color, pouch type with velcro closure or covered snaps.
- c. Equipment belt--American manufacture 2¼" inch wide, leather, plain cordovan color with no design or tooling, no exposed buckles or exposed snaps.
- d. Ammunition carrier--American manufacture, plain cordovan color, velcro closure or covered snaps, leather, covered ammunition holder.

- e. Accessories--any other authorized leather items to be plain cordovan color with no exposed buckles or exposed snaps.

6. Specialized Equipment Authorized:

- a. Speed Loaders.
- b. Speed strips authorized to be carried in dump pouches.
- c. Soft body armor.
- d. Radium luminescent material sight.
- e. Tear gas masks--standard police type.
- f. Safety helmet--police type with face shield.
- g. Baton ring.
- h. Flashlight holder.

H. Firearms Training

1. It is the policy of the National Park Service to provide progressive and realistic firearms training to all commissioned employees. This training will be relevant to the employees assignment and include training in all types of firearms the employee is authorized to carry. Firearms training will include basic marksmanship, decision reaction, judgemental shooting and firearms safety. Optional firearms courses are authorized when there is a demonstrated training need. Specialized courses shall be designed to insure compliance with the NPS Defensive Equipment Policy and the ultimate safety of all involved.
2. Guidelines for Specialized Firearms Training
 - a. Only NRA, FBI, or FLETC certified firearms instructors or equivalent are allowed to supervise courses of fire. Approval of equivalent certification will be made by the Branch of Ranger Activities.
 - b. All courses will initially be approved by the Regional Law Enforcement Specialist.
 - c. The instructor must maintain eye and voice contact with any shooter participating in any course.



- d. The instructor will give the command to load prior to the course being run. The instructor will visually inspect each weapon used in the running of the course to make sure the weapon or weapons are unloaded and safe after the completion of the course.
- e. The instructor will make sure there are no live rounds loaded in the chamber of a shotgun while the shotgun is inside a vehicle.
- f. The instructor will make certain that each person participating in any course is thoroughly familiar with each weapon used in the course prior to participating.
- g. The instructor will inspect each weapon used in the course prior to the weapon being used.
- h. The instructor will make sure that the berm or bullet impact area is safe. The berm or bullet area should have no rocks or any items that might cause a ricochet.
- i. The instructor will make sure that the participants and observers will have adequate eye and ear protection.
- j. There will be no firing from a moving vehicle.
- k. Target frames should be of a type that would discourage ricochet.
- l. Prior to participating in any tactical course, the shooter must be qualified in the NPS approved qualification course.
- m. Only NPS approved defensive equipment will be used in any firearms training courses.
- n. On any course where shooters advance beyond a safe point, only one shooter will be on the course at a time.
- o. In all tactical courses the instructor/student ratio will be one to one.



3. Qualification Courses

Exhibits 1-5 of this Chapter describe authorized qualification courses for:

- Practical Pistol Qualification Course
- .357 and .44 Magnum Revolver Qualification Course
- Shotgun Qualification Course
- Rifle Qualification Course
- Reduced Light Qualification Course

The results of these courses shall be documented on the Firearms Qualification Score Sheet (Exhibit 6).

2. Certification Courses

Exhibit 1-5 of this Chapter describes authorized certification courses for:

- Practical Pistol Qualification Course
- 257 and .40 S&W Revolver Qualification Course
- Shotgun Qualification Course
- Rifle Qualification Course
- Reduced Light Qualification Course

The results of these courses shall be reported on the Firearms Qualification Form (Exhibit 1-6).

NATIONAL PARK SERVICE
Practical Pistol Qualification Course

DISTANCE	STAGE	POSITION	ROUNDS	SHOTS	TIME	DESCRIPTION
3 Yards	1	Standing	6	2	3 Seconds	Point shoulder, two-handed, without sights.
7 Yards	1	Standing	12	1	3 Seconds	One shot in three seconds for the first five shots. Fire sixth, unload, reload with six and fire seventh, weak hand only (20 seconds allotted for reload drill). Then, one shot in three seconds, weak hand only, from the "aimed in" position for the remainder of Stage 1.
15 Yards	2	Standing	12	2	4 Seconds	Two shots in four seconds for the first four shots. Fire fifth and sixth, unload, reload with two and fire seventh and eighth shots (15 seconds allotted for reload drill). Load with four and holster. Then, two shots in four seconds until completion of Stage 2.
25 Yards	1	Barricade (Right)	6	2	7 Seconds	Two shots in five seconds for the first four shots. Fire fifth and sixth, unload, reload with six and fire seventh and eighth (25 seconds allotted for reload drill). Then, two shots in five seconds for the remainder of the 15 yard stage.
	2	Barricade (Left)	6	2	7 Seconds	Two shots in seven seconds from the left side barricade position, double-action, strong hand supported by the weak.
	3	Kneeling	6	2	8 Seconds	Two shots in eight seconds from the kneeling position.

TOTAL ROUNDS	=	60
POSSIBLE SCORE	=	300
MINIMUM SCORE	=	210

MARKSMANSHIP RATINGS
210 - 254 = Marksman
255 - 284 = Sharpshooter
285 - 299 = Expert
300 = Distinguished Expert

NOTE: This course must be fired on a Trans-tar II target.



LAW ENFORCEMENT
NPS-9
Defensive Equipment

Guideline
Chapter 8
EXHIBIT 2

NATIONAL PARK SERVICE

.357 and .44 Magnum Revolver Qualification Course

NOTE: This course is supplemental to the approved NPS Practical Pistol Course. All participants must have initially qualified on the PPC course using NPS standard .38 caliber ammunition.

DISTANCE	STAGE	POSITION	ROUNDS	SHOTS	TIME	DESCRIPTION
25 Yards	1	Standing (strong hand supported by weak hand, point shoulder)	6	6	30 Seconds	Six shots in 30 seconds, starting with loaded weapon in the holster, shooter unloading and holstering an empty weapon after sixth shot.
25 Yards	2	Kneeling (strong hand supported by weak hand, point shoulder)	6	6	30 Seconds (same as Stage 1)	
15 Yards	1	Standing (strong hand supported by weak hand, point shoulder)	6	6	20 Seconds	Six shots in 20 seconds starting with loaded weapon in the holster, shooter unloading and holstering an empty weapon after sixth shot.

TOTAL ROUNDS = 18
POSSIBLE SCORE = 90
MINIMUM SCORE = 63

NOTE: This course must be fired on a Trans-tar II target.

April 1984



NATIONAL PARK SERVICE

Shotgun Qualification Course

DISTANCE	STAGE	POSITION	ROUNDS	SHOT	TIME	DESCRIPTION
7 Yards	1	Right Side Hip	2	#4 Buck	10 Seconds	Two shots in 10 seconds from the right side hip level position.
7 Yards	2	Left Side Hip	2	#4 Buck	10 Seconds	Two shots in 10 seconds from the left side hip level position.
15 Yards	1	Standing Shoulder	2	#4 Buck	10 Seconds	Two shots in 10 seconds from the standing shoulder position.
25 Yards	1	Standing Shoulder	4	Slug	30 Seconds	Four shots in 30 seconds from the standing shoulder position.

TOTAL #4 BUCK ROUNDS = 6
POSSIBLE SCORE-#4 BUCK = 162 hits on target
TOTAL SLUG ROUNDS = 4
POSSIBLE SCORE-RIFLE SLUG = 20
POSSIBLE TOTAL SCORE = 182
(#4 Buck + Slug)

Each round of #4 Buck contains 27 pellets.
Any pellet striking silhouette area is counted as one (1) point.

NOTE: This course MUST be fired on a Trans-tar II target.
Scoring of #4 Buck is done PRIOR to firing rifle slug.
Scoring for slugs is the same as prescribed on Trans-tar II target.

Shotgun score is total of slug score plus buckshot score. Minimum qualification is 128.

NATIONAL PARK SERVICE

Rifle Qualification Course

LAW ENFORCEMENT
NPS-9
Defensive Equipment

Guideline
 Chapter 8
 EXHIBIT 4

DISTANCE	STAGE	POSITION	ROUNDS	SHOTS	TIME	DESCRIPTION
50 Yards	1	Standing Shoulder	5	5	30 Seconds	Shooter will fire five shots from standing shoulder position.
50 Yards	2	Kneeling	5	5	30 Seconds	Shooter will fire five shots from kneeling position.
50 Yards	3	Sitting	5	5	30 Seconds	Shooter will fire five shots from sitting position.
50 Yards	4	Prone	5	5	30 Seconds	Shooter will fire five shots from prone position.

TOTAL ROUNDS = 20
 POSSIBLE SCORE = 100
 MINIMUM SCORE = 70

NOTE: This course must be fired on a Trans-tar II target scoring the five ring ONLY. Any hits outside the five ring scored as zero.

April 1984



NATIONAL PARK SERVICE

Reduced Light Qualification Course

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Guideline
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EXHIBIT 5

DISTANCE	STAGE	POSITION	ROUNDS	SHOTS	TIME	DESCRIPTION
3 Yards	1	Standing (strong hand supported by weak hand, point shoulder)	6	2	3 Seconds	Two shots in three seconds, starting with weapon in the holster, shooter reholstering after each two shots. After sixth shot, shooter unloads and reloads with six rounds and holsters a loaded weapon.
3 Yards	2	Standing (strong hand ONLY, unsupported)	6	3	4 Seconds	Three shots in four seconds, starting with weapon in the holster, shooter reholstering after first three shots and unloading and holstering an empty weapon after the sixth shot.
7 Yards	1	Standing (strong hand supported by weak hand, point shoulder)	8	2	4 Seconds	Two shots in four seconds, starting with weapon in the holster, shooter reholstering after firing two shots, after the sixth shot shooter automatically unloads and reloads with two rounds ONLY and fires two rounds. Twenty seconds will be allotted for this reloading exercise.
7 Yards	2	Standing (strong hand supported by weak hand, point shoulder)	4	2	4 Seconds	Shooter will load with four rounds and holster. Two shots will be fired in four seconds reholstering after first two shots and unloading and holstering an empty weapon after the second two shots.
15 Yards	1	Standing (strong hand supported by weak hand, point shoulder)	6	3	5 Seconds	Three shots in five seconds, starting with weapon in the holster, shooter reholstering after first three shots and unloading and reholstering after sixth shot.
15 Yards	2	Kneeling	6	2	8 Seconds	When command is given, shooter assumes the kneeling position (using cover if available), draws and fires two rounds in eight seconds, holsters and resumes the standing position. This sequence is repeated until the fifth and sixth shots are fired. Shooter reloads and holsters an empty weapon, remaining in position until the command to stand is given.

TOTAL ROUNDS = 36
 POSSIBLE SCORE = 180
 MINIMUM SCORE = 126

MARKSMANSHIP RATINGS
 126 - 152 = Marksman
 153 - 170 = Sharpshooter
 171 - 180 = Expert

NOTE: This course must be fired on a Trans-tar II target.
 This course will be fired WITHOUT the use of a flashlight.

April 1984



Firearms Qualification Score Sheet

Guideline
Chapter 8
EXHIBIT 6

[illegible]

*Identify weapon by barrel length,
Caliber, Manufacturer

G0 for Government Owned
P0 for Personally Owned

Date _____
Day of Week _____
Time of Day _____
Weather _____
Temperature _____
Location _____
Instructor Signature _____

10-344 Case No. _____



COOPERATION WITH OTHER LAW ENFORCEMENT AGENCIES

I. Introduction

National Park Service employees have long accepted appointments such as deputy sheriffs, deputy game wardens, special policemen, etc. in accordance with various legal authorities. The General Authorities Act clarified our authority for accepting such appointments by authorizing the Secretary of the Interior to cooperate with States and political subdivisions in the enforcement of their respective laws and ordinances within park areas. This law also authorized appointment of employees of other law enforcement agencies as special policemen in areas of the National Park System when supplemental law enforcement personnel are needed.

II. Policy

Acquiring law enforcement authority from an agency other than the National Park Service, or appointment of special policemen, is desirable when it will expedite and simplify the administration of a park area. All such appointments shall be supported by a written agreement with the respective agency at the park, regional, or national level as appropriate, except when there is insufficient time due to an emergency law enforcement situation.

III. Guidelines for appointments of NPS personnel by other agencies.

- A. Law enforcement appointments from other agencies may be sought only when such appointments will benefit the administration of a park area.
- B. Only commissioned employees will be eligible to receive law enforcement appointments from other agencies.
- C. All such appointments shall be documented in writing. Should withdrawal of this appointment occur, a written explanation of the reasons for such action shall be provided the affected employee, his or her supervisor, the authorizing manager, and the appointing official.
- D. Each employee receiving an appointment shall sign and date a copy of the written agreement.



- E. The requirement for a written agreement may be omitted only when there is insufficient time due to an emergency law enforcement situation. In such cases, employees may receive appointments not to exceed 60 days or the term set by the appointing authority, whichever is shorter. No temporary appointments shall exceed 60 days without a supporting written agreement.
- F. Actions taken by employees by virtue of authority vested by other agencies must be in accordance with appointments expressly approved by the NPS. Such actions will, to the extent authorized by law, be considered as being within the scope of employment and under the administrative control of the National Park Service.
- G. Employees will not personally receive any compensation from any agency other than the National Park Service. Any reimbursement from an authorizing agency for services rendered, if authorized by law during a mutual aid response, will be made to the National Park Service.
- H. Whenever an employee exercises authority vested by another agency, such employee will always use a badge and/or credentials from the authorizing agency or as agreed to between the park and the local agency, or as provided by State law for identification purposes.
- I. Unless specified exemptions are contained in a written agreement, National Park Service policies and guidelines shall be followed by all employees exercising law enforcement authority vested in them by other agencies.
- J. Whenever practicable, law enforcement authority vested in employees by the National Park Service shall be utilized before authority vested by other agencies.
- K. All enforcement actions taken by employees by virtue of authority vested by other agencies shall be recorded, utilizing the NPS Incident Reporting System in addition to any reports required by the authorizing agencies.
- L. Employees will only wear the National Park Service uniform and will not wear uniforms of any appointing agency.

IV. Guidelines for appointments of Special Policemen from other law enforcement agencies to enforce Federal laws and regulations within NPS areas.

- A. Consistent with the General Authorities Act such appointments will:
1. Be made only when deemed economical, in the public interest, and with concurrence of the respective agency.
 2. Be made only when supplemental law enforcement personnel may be needed in a park area (e.g. special events).
 3. Confer the same power and authority accorded either seasonally or fully commissioned employees as appropriate, based on park needs.
 4. Not confer status as Federal employees except as provided in the General Authorities Act.
 5. Not be used to provide routine law enforcement coverage in lieu of NPS personnel.
- B. Any individual considered for appointment as a special policeman shall have received at least the minimum training equivalent required for a seasonal commission.
- C. All such appointments shall be documented in writing. Should termination of this appointment occur, a written explanation of the reasons for such action shall be provided by the affected law enforcement officer and affected agency.
- D. Each officer who is considered for an appointment as a special policeman shall submit an application for an NPS law enforcement commission. Upon issuance of a commission the officer shall sign and date a copy of the written agreement.
- E. The requirement for a written agreement may be omitted only when there is insufficient time due to an emergency law enforcement situation. In such cases, officers from other agencies - who meet training requirements may receive appointments not to exceed 60 days or when terminated by the NPS, whichever is less. No temporary appointment shall exceed 60 days without a supporting written agreement.
- F. Law enforcement officers appointed as special policemen will wear the uniform of their respective agencies; they will not wear the uniform of the National Park Service.

- G. Whenever law enforcement officers exercise authority vested by the NPS, such officers will always identify themselves by showing appropriate NPS credentials, or as otherwise agreed.
- H. Unless specified exemptions are contained in a written agreement, law enforcement officers appointed as special policemen shall follow NPS policies and guidelines while enforcing laws and regulations in that capacity in park areas.
- I. All enforcement actions taken by law enforcement officers acting as special policemen in park areas shall be recorded, utilizing the NPS Incident Reporting System in addition to any reports required by their respective law enforcement agencies.

V. Guidelines for development of written agreements with other law enforcement agencies.

These agreements, usually titled Memorandums of Understanding, define the terms, conditions, and responsibilities of the signatory parties to accomplish prescribed mutual benefits. All agreements must be prepared and reported to the Administrative Services Division in accordance with NPS-20.

- A. Agreements should provide for identified mutual benefits. They should document what each party is to give and receive under the agreement - even if only to recognize the mission of the other party.
- B. Agreements at a park and regional level shall be reviewed by the Regional Law Enforcement Specialist and Field Solicitor prior to approval by the Regional Director. Agreements on a national level shall be reviewed by the Chief, Division of Visitor Services and the Solicitor's Office, WASO, prior to approval by the Associate Director, Park Operations.
- C. Agreements must be in effect for a specific period of time not to exceed five years.
- D. Agreements shall identify the circumstances when authority is vested in employees by other agencies, or in officers of other agencies by the National Park Service.
- E. Agreements must be signed by all parties to the agreement and dated before becoming valid. Existing delegations of signature authority will be adhered to.

- F. Written agreements should address the following areas of potential conflict:
1. Who is in charge, and when, for various types of law enforcement actions and criminal investigations.
 2. Levels of authority and channels of communication to activate response.
 3. Who communicates with the media concerning what types of incidents.
 4. Provision to trade investigative reports within legal and policy constraints.

CRIMINAL INVESTIGATIONS

I. Introduction

The General Authorities Act authorizes designated law enforcement employees of the National Park Service to conduct investigations into violations of any applicable Federal law or regulation.

This authority was conferred to facilitate the administration of the National Park Service by allowing law enforcement personnel to conduct investigations in the absence of or concurrence by any other Federal law enforcement agency having primary investigative jurisdiction over the offense.

Recent changes within the Federal law enforcement community have resulted in a loss of traditional investigative support. Some Federal law enforcement agencies have undergone major mission realignment, others have developed different priorities for investigative involvement. The combination of these factors requires the National Park Service to exercise investigative authority in a manner that will protect persons, property and resources while continuing to inform and cooperate with other State and Federal law enforcement agencies.

II. Policy

Investigation is an essential and appropriate element of the overall National Park Service mission. The National Park Service will conduct investigations of offenses committed within the National Park System thoroughly and expeditiously in accordance with applicable State and Federal law.

Upon a finding that non-uniform undercover operations are the only practical means of alleviating the adverse effects of criminal activity, to gather intelligence information or to make purchases of evidence, the Superintendent may initiate such operations in accordance with the provisions of this chapter.

Short term non-uniform operations may be accomplished by the use of qualified park staff, if appropriate.

Long term undercover operations may be initiated by the Superintendent as necessary. Consultation should be made with the Regional Law Enforcement Specialist for assistance or to obtain qualified personnel from other parks or from the United States Park Police.

The use of informants is a necessary and appropriate tool of criminal investigation. Superintendents may expend appropriated funds for information and for the purchase of evidence in accordance with applicable regulations and policy.

Commissioned employees may be designated by their Superintendent to have authority within a specified monetary limit to purchase information, make undercover purchases, or utilize informants for undercover operations. The Regional Law Enforcement Specialist should be consulted for any necessary assistance.

III. Guidelines

A. Cooperation with other Federal law enforcement agencies.

1. The Superintendent will develop agreements between the National Park Service, the United States Attorney and Federal enforcement agencies in the area. These agreements will address the investigative role of the National Park Service in relationship to other Federal law enforcement agencies. If appropriate, the agreements reached should be documented in writing.

B. Cooperation with State and local law enforcement agencies.

1. The Superintendent will develop agreements between the National Park Service and other State and local agencies regarding the investigative role of the National Park Service in relationship to State and local agencies. Where a written agreement is developed pursuant to this section it will be reviewed by the Regional Law Enforcement Specialist and Field Solicitor prior to approval by the Regional Director. Where appropriate, these agreements may be incorporated into a memorandum of understanding between the National Park Service and the State or local agency.

C. Plainclothes/Undercover Operations

1. While in an undercover capacity, employees will not commit any illegal act such as using any controlled substance, nor shall they engage in any act which would compromise any proceeding or embarrass the NPS.

2. The undercover employee should be kept under surveillance.
3. When an employee is on an undercover assignment, the employee and his supervisor shall determine if the employee is to be armed or unarmed.
4. The undercover employee, surveillance personnel and supervisor shall preplan all undercover assignments and prearrange what action shall be taken on different possible turns of events.
5. On an information gathering assignment, an employee may accompany a suspect or informant or meet a suspect or informant out of jurisdiction.
6. On an undercover assignment when there is a possible purchase of evidence involved, an employee may accompany a suspect in an attempt to ascertain the suspect's source or location of supply.
7. Usually money will not be given to a suspect in advance for a delivery at a later time.
8. An arrest should be made when an undercover purchase is made. Exceptions to this Guideline may include situations when:
 - a. The employee is in an undercover capacity and an arrest would prevent him from initiating other cases in the same area.
 - b. An immediate arrest would expose an informant or a source of information.
 - c. There exists a potential danger to the undercover employee and/or the public.
 - d. It would prevent the undercover employee from identifying a suspect's source of supply when such information could assist in decreasing criminal activity in a park area.
 - e. It is felt that two or more purchases from the same suspect are needed for successful prosecution in court.

D. Use of Informants

All reasonable steps and precautions should be taken to protect informants and their identity. Employees should ascertain in advance if an informant is willing to reveal his identity and testify in court. In cases where an informant does not wish to have his identity known, all steps shall be taken to respect the informant's desire. Informants will not be referred to by name and sex in reports.

1. Informants shall be searched by a commissioned employee for money and contraband prior to and immediately after all undercover purchases of evidence. A female should search a female informant and a male should search a male informant.
2. Informants will not be armed.
3. Informants must be kept under constant surveillance while attempting to make undercover purchases.
4. Informants will not make advance payments to suspects for delivery at a later date.
5. Employees may utilize informants to make purchases initiated or completed in their jurisdiction. Employees may use an informant to make purchases outside of their jurisdiction when involved in a cooperative investigation with other State or Federal agencies.
6. An informant may be utilized to gather information out of the employee's jurisdiction.
7. Once the employee ingratiates himself with the suspects, he/she should ease the informant out of the operation.
8. Informants should only be utilized for undercover purchases and undercover work when it is not feasible for an employee to work undercover.
9. Use of juveniles should be avoided.

Before using any individual who is not a commissioned employee or other law enforcement officer as an informant, the commissioned employee must first:

- a. Receive permission to utilize the individual from a parole or probation officer, if the informant is on parole or probation.

- b. Instruct this person not to make any undercover purchases unless under the direction and surveillance of the commissioned employee, within the employee's jurisdiction, and using funds provided by the National Park Service.
- c. Instruct the person that he or she is not vested with any law enforcement authority.
- d. Inform the person of any knowledge the commissioned employee may possess regarding those individuals the informant is likely to come into contact with during the investigation including, but not limited to, their criminal record (if any), their reputation for violence, and the possibility of their being armed.

In addition to the above, if the potential informant has any criminal charge pending against him/her, the commissioned employee must also:

- (1) Fingerprint and photograph the individual.
- (2) Advise the individual that there is no guarantee that pending charges against him will be reduced or dropped, and that it is not guaranteed that the court will follow such a recommendation or that the recommendation will be passed on.

E. Purchase of Evidence and Information

- 1. Purchases of evidence shall be in accordance with Regional Guidelines. All money used for the purchase of evidence or information shall be recorded on a Supplementary Case Incident Report (Form 10-344). Such information as denomination, serial number, and type of money, e.g., Federal Reserve Note should be noted and identified with a particular case or incident.
- 2. Money that has been used for the purchase of evidence and recovered will be held as evidence until a disposition of the case is made.
- 3. Once a certain bill has been used for the purchase of evidence it will not be used again for another purchase.
- 4. Any money that has been used on a case and no longer required as evidence shall be returned to the Government by established procedures.

5. Whenever an undercover purchase of a controlled substance is made, the evidence purchased will be field-tested as soon after the purchase as feasible.
6. The expenditure of money for the purchase of information or evidence should only be attempted when no other means of obtaining the information or evidence is feasible and when it is clearly essential to the administration of a park area.
7. Commissioned personnel on undercover assignments should report their undercover activities daily to the supervisor.
8. Whenever an employee expends funds for the purchase of information or evidence he or she shall fill out a receipt for the park's accountable officer stating: "I certify that \$_____ was expended for the purchase of information or evidence and such expenditure was in the interest of the administration of the park and essential and necessary to develop evidence of violations. Signed_____ Date_____."

No information pertaining to an informant, undercover operation, or the information or evidence purchased shall be included on the purchase document.

9. Where necessary, a separate law enforcement imprest fund may be authorized by the Regional Director.

F. Surveillance

With the sophistication of the criminal that is visiting the parks today, effective law enforcement must include conducting surveillances of areas and/or persons. Specific cases may require a variety of tactics including the use of vehicle, foot, photographic, and electronic surveillance. The use of electronics equipment such as beepers, telephone monitors and listening devices generally require a court order. Major cases where use of these surveillance devices are being considered will include a review by the Regional Law Enforcement Specialist and the U.S. Attorney before such devices are used.

1. Surveillances conducted INSIDE park areas.
 - a. Surveillances may be conducted whenever there is a need to monitor a specific area for an ongoing crime (i.e., suspicious fires, car clouting, etc.).
 - b. The decision to monitor an area should be made by a supervisory law enforcement employee.

- c. The surveillance of persons within the park who are suspected of criminal behavior shall be conducted in such a manner to prevent detection and in accordance with recognized tactics. A commissioned employee shall be in charge of the operation and will have the responsibility for planning the surveillance and insuring the safety of participating law enforcement personnel.
 - d. On surveillance operations it is of paramount importance that employees and their vehicles, not be detected. When possible, unmarked vehicles with confidential State license plates should be used. Parks that have a need for unmarked vehicles for a surveillance operation should consider renting vehicles for this purpose. The use of personal vehicles in surveillance operations is discouraged.
 - e. Surveillance operations that cover many days and involve considerable resources should be thoroughly discussed with the Regional Law Enforcement Specialist. When appropriate, consideration should be given to utilizing special event teams trained to perform surveillance operations.
2. Surveillance operations OUTSIDE of park areas.
- It may become necessary in the course of a criminal investigation to conduct a surveillance of a suspect(s) in locations that are outside of park boundaries. Often information on a suspect's movements will become a vital part of a case.
- a. Superintendents may expend funds and assign law enforcement personnel to surveillance operations. Travel and per diem and purchase of necessary equipment is authorized. Parks that have the need for conducting such operations should develop a Surveillance Plan that outlines all the necessities.
 - b. The commissioned employee in charge of the surveillance operation will insure that the appropriate law enforcement agencies are aware of the operation in their area. When possible, a member of the local or State law enforcement agency having jurisdiction should be included in the surveillance planning and on the team. If informing the local agencies would jeopardize the operation, the employee in charge should not do so.
 - c. Surveillance operations should be conducted in plainclothes and in unmarked vehicles.

G. Criminal Investigation Conducted OUTSIDE Park Areas

The resolution of criminal cases and civil cases may require one or more investigators to travel outside park areas to conduct interviews, contact officials of other agencies, and meet with witnesses, victims, and suspects. Some investigations cannot be conducted by telephone and require direct contact between the investigator and the subject.

1. On criminal cases where the subject to be contacted is a great distance from the park and there are other park areas with qualified personnel closer, an investigator from the closest area will assist the reporting park. Any expense incurred by the investigating park should be charged to the reporting park.
2. On special and complex cases where contact with a specific individual is critical to the case, and when only someone familiar with the case can achieve the desired results, the Superintendent from the park reporting the crime may expend funds to accomplish the purpose. This determination should be made by the Superintendent with consultation of the employee in charge of the investigation.
3. Commissioned employees conducting investigations may take all reasonable actions necessary to accomplish their purpose consistent with NPS-9 and Departmental Guidelines.
4. The execution of a search or an arrest warrant outside of park areas should be accomplished utilizing at least one member of a State or local agency having jurisdiction in that area unless in the opinion of the supervisory law enforcement employee the operation would be compromised.
5. Under no circumstances will a search warrant be served without a uniform presence.

CONTROLLED SUBSTANCES

I. Introduction

Drug related problems vary in scope and intensity throughout the National Park System. Drug activity in a park area is often an activity that affects park concessioners, park resources, NPS families, and the park visitor. Unchecked or undetected drug activity in parks can have a widespread, destructive effect on those people living, working, and visiting areas of the system.

Strong cooperation with other Federal, State and local law enforcement agencies must be maintained to monitor area drug activity. Depending on the type of jurisdiction, State and/or local authorities may have concurrent responsibility. These agencies should be included as necessary in drug investigations, for the drug trafficking very seldom lies exclusively within a park's boundary.

When a drug problem is determined to exist efforts will be made to detect and deter drug related activity through the use of uniformed patrols, gathering of intelligence through the use of informants and other sources, use of personnel in plainclothes operations, maintaining ongoing investigations, and identification of significant violator(s).

In most instances, investigations of drug activity in park areas will be on a small scale in comparison to the Drug Enforcement Administration (DEA) or U.S. Customs investigations. Drug related activity on the scale of smuggling and large controlled substance transactions should be worked with DEA, U.S. Customs, the U.S. Coast Guard or State authorities as the lead agency. It should be kept in mind that there is usually a major difference in the enforcement efforts used against local controlled substance activity and the manpower, planning and equipment needed to deal with international drug trafficking.

Successful cooperative drug enforcement operations will result only if each area has taken the steps necessary to perform coordinated drug control operations. The U.S. Attorney's Office, DEA regional offices, and State and local authorities may differ in procedures, manpower, and money available to assist. Each area should make the contacts necessary to insure that successful drug enforcement will be conducted.

II. Policy

The investigation of the illegal possession, use, sale or trafficking of controlled substances is a responsibility of the National Park Service in areas of the National Park System. The Drug Enforcement Administration has concurrent responsibility for drug related investigations and should be kept routinely informed of major drug activities in National Park Service areas, i.e. interdiction, cultivation, or eradication.

III. Guidelines

Commissioned employees shall comply with the following guidelines and procedures in all incidents involving controlled substances:

A. Possession of a Controlled Substance

When an employee initiates an illegal possession of controlled substance case, he shall:

1. Seize the substance as evidence.
2. Identify the individual(s) possessing the controlled substance.
3. Identify any individual(s) with the possessor.
4. Seize all paraphernalia as evidence.
5. Field test the controlled substance as soon as feasible unless otherwise directed by U.S. Attorney or local prosecutor's office.
6. Measure by either weight or dosage units and record accurately.
7. Do one of the following depending upon the circumstances of the incident:
 - a. Arrest or cite the individual(s) possessing the controlled substance if there is sufficient probable cause.
 - b. Detain the individual(s) in order to perform a field test if the time factor is not unreasonable. A field test prior to arresting or citing is not necessary if probable cause exists to believe the substance is a controlled substance.

- c. Identify and release the individual(s) and retain the substance for a field test and/or laboratory analysis at a later time.
8. Depending upon jurisdiction or other circumstances of the case, charge an individual in one of the following ways:
 - a. Violation of Title 21, U.S.C.
 - b. Violation of Title 36 CFR.
Arrest for violations of a Title 21 offense can later be reduced to 36 CFR.
 - c. Violations of applicable State laws, if the employee is acting under deputization authority pursuant to a written agreement.
9. Initiate a Case Incident Report (Form 10-343) using "Violation of Narcotic and Drug Laws" as the nature of incident.
10. Mark, seal, and secure the evidence following appropriate evidence procedures.
11. If necessary for prosecution, have the evidence analyzed by an approved Federal, State, or local laboratory.
12. Retain the evidence after the case has been adjudicated in court and destroy pursuant to written authorization from the U.S. Attorney's Office or prosecuting attorney's office.

B. Illegal Sales and Trafficking of Controlled Substances

When an employee initiates a case involving the illegal sale or trafficking of a controlled substance, the guidelines for possession cases are applicable. It is the policy of the Service to turn the case over to a DEA agent if the Drug Enforcement Administration desires to handle the case.

C. Found Controlled Substances

When a controlled substance is found, the employee assigned the incident shall:

1. Conduct an investigation to the degree the circumstances of the incident warrant.
2. Determine if another agency, such as the Drug Enforcement Administration (DEA), should be notified.

3. If the substance has not been disturbed, determine if a surveillance of the controlled substance is justified.
4. Field test the substance as soon as possible.
5. Handle the substance as evidence (not found property) and mark, seal, and secure it following appropriate evidence procedures. If, because of size or weight of found controlled substance, transportation is impractical or impossible, these substances may be destroyed in accordance with procedures approved by the U.S. Attorney's office or local prosecutor's office.
6. Initiate a Case Incident Report (Form 10-343) using "Violation of Narcotic and Drug Laws" as the nature of the incident.
7. Unless the employee determines that a found substance merits retention for future prosecution, it will be disposed of in accordance with this chapter within 30 days.

D. Found Paraphernalia

When controlled substance related paraphernalia is found, the employee assigned the incident shall:

1. Determine if paraphernalia is illegal under applicable and current State or Federal law. If illegal, conduct an investigation to a degree the circumstances of the incident warrant.
2. Handle the paraphernalia as evidence (not found property) and mark, seal, and secure it following appropriate evidence procedures.
3. Initiate a Case Incident Report (Form 10-343).
4. Unless the employee determines that found paraphernalia merits retention for further prosecution it will be disposed of in accordance with this Chapter within 30 days.

When both paraphernalia and a controlled substance are found together, the incident will be handled as outlined in Section A.

E. Handling Controlled Substances

1. All controlled substances will be handled as evidence and:
 - a. Marked with the case incident number, date evidence acquired, type and quantity of evidence, defendant's name (if known) and assigned employee's name;

- b. Sealed in a tamper-proof container such as a lock-seal envelope; and,
 - c. Secured in the park's evidence room or safe unless turned over to another agency or sent to a laboratory for analysis.
2. Controlled substances may be transferred to substitute containers if the original container is to be sent to the FBI laboratory for fingerprints.
3. If there are two or more defendants in the same case, evidence seized from each defendant will be marked, sealed, and secured separately.
4. As few people as possible will handle evidence and the chain of custody will be recorded as part of the case report.
5. Evidence submitted to laboratories for analysis will be sent and packaged in accordance with the requirements particular to the individual laboratory.
6. Controlled substances and paraphernalia will be disposed of in one of the following manners:
 - a. Turned over to an agent of the Drug Enforcement Administration or to another law enforcement agency for destruction. When this is done, a receipt from the agent detailing nature of the substance and specific quantities shall be placed in the case file. The receipt may be on a Form 10-344.
 - b. By a commissioned employee in such a manner as to insure total destruction. Such destruction shall be in accordance with Federal, State, and local air and water pollution control standards and in the presence of two additional employees as witnesses to the destruction. The commissioned employee shall certify on a Form 10-344 the fact, manner, type quantity, and date of destruction. The two employees who witnessed destruction shall sign the following statement which shall appear on the Form 10-344 below the originator's certification. "I have witnessed the destruction of the controlled substances described in the foregoing certification in the manner and on the date stated herein". (41 CFR 101-45.505)

EVIDENCE MANAGEMENT

I. Introduction

All evidence should be collected consistent with pertinent law, policy and established procedures. Materials obtained as physical evidence must likewise be treated in a technically correct manner. Evidence not properly handled will lose value in a court of law. This is especially true of evidence that is not of a unique nature. Evidence must be protected and custody accounted for from the time obtained, through the judicial process, and until proper disposal is made.

II. Policy

All park areas that have occasion to collect and safeguard evidence, shall adhere to established evidence handling procedures. Because of diverse judicial jurisdictions and procedural desires of different prosecutors, each park will develop a written evidence procedure and have that procedure approved by their respective U.S. Attorney's Office or local prosecuting attorney's office. Procedures will be based on law and regulations and be consistent with the Federal rules of evidence.

III. Guidelines

- A. Each park will designate at least one park evidence custodian.
- B. Each park will have an evidence room, safe, locker, or other secured place that serves to limit access to evidence.
- C. Each park will include in its evidence procedures instructions for:
 - 1. Measuring and quantifying
 - 2. Marking of evidence
 - 3. Packaging of evidence
 - 4. Tagging of evidence
 - 5. Testing and analysis
 - 6. Storage of evidence
 - 7. Accessing of evidence
 - 8. Evidence retention
 - 9. Disposing of evidence
 - 10. NCIC check on all firearms or serial numbered items of evidence
- D. Each park superintendent shall certify through the Regional Director to WASO annually by January 20, that an inventory of all evidence and custody property has been completed and that they are in compliance with approved evidence procedures.

WARRANTS

I. Introduction

The General Authorities Act of 1976 authorizes designated law enforcement employees of the National Park Service to execute any warrant or other process, issued by a court of competent jurisdiction, for the enforcement of the provisions of any Federal law or regulation, issued pursuant to law arising out of an offense committed in the Park System, or where the person subject to warrant or other process is in the Park System, in connection with any Federal offense.

II. Policy

It is the policy of the National Park Service to execute warrants or other process pursuant to the provision of The General Authorities Act. The purpose of this provision is to facilitate the effective administration of park areas due to unique circumstances, such as remote and isolated locations, that frequently restrict the traditional law enforcement agencies from performing this function. If appropriate, parks should establish an understanding with their respective U.S. Magistrates, U.S. Marshals and U.S. Attorneys with regard to the execution of warrants or other processes for offenses committed within the National Park System.

III. Guidelines

A. Federal Warrants

The General Authorities Act authorizes designated law enforcement employees of the National Park Service to execute any Federal warrant or other process within the National Park System or outside of the system provided it is pursuant to an offense committed in the system. It also authorizes such employees to execute any Federal warrant or other process in the system, regardless of where the offense for which the warrant or other process was issued occurred. The General Authorities Act does not authorize law enforcement employees of the National Park Service to execute a Federal warrant or other process outside of the system when such warrant or other process was issued pursuant to an offense which occurred outside of that system.

B. State Warrants

The General Authorities Act directs us to cooperate, within the National Park System, with any State or political subdivision in the enforcement of the laws of that State or subdivision. Accordingly, a

written agreement should be consummated between the park and the State or subdivision setting forth the method by which law enforcement employees may assist with respect to the service of warrants or other processes. A written agreement is not necessary when the warrant or an applicable State statute specifically authorizes an NPS commissioned employee to execute such warrant or other process.

C. General Provisions

1. Fully commissioned employees may execute warrants or other process.
2. Seasonal commissioned employees when appropriately trained may:
 - a. Detain or arrest persons based on information obtained from a computerized law enforcement system or other official source.
 - b. Serve subpoenas.
 - c. Assist as a backup to fully commissioned employees in the execution of warrants or other process contingent upon appropriate training.
3. Whenever a commissioned employee executes or assists in the execution of a warrant or other process he shall be armed.
4. A commissioned employee shall routinely secure the assistance of another commissioned employee or law enforcement officer from another agency before executing a warrant or other process.
5. Whenever a commissioned employee plans to execute a warrant or other process outside of the park area, the employee should notify and/or request the assistance of Federal, State or local law enforcement officers having jurisdiction where the warrant or process is to be executed unless in the opinion of a supervisor, the operation would be compromised. Under no circumstances will a search warrant be served without uniform presence.
6. Commissioned employees should routinely wear their uniform when executing or assisting in the execution of a warrant or other process, unless it has been determined that the presence of the uniform might hinder the execution of such warrant or process.
7. The Regional Law Enforcement Specialist may be consulted before a commissioned employee executes a warrant or other process beyond his park's local surrounding area.

8. Superintendents shall insure that full cooperation and assistance is extended whenever Federal, State, or local officers respond to their area to execute a warrant or other process.

JUVENILE PROCEDURES

I. Introduction

The criminal justice system has emphasized that primary responsibility for the protection and welfare of juveniles rests upon parents. National Park Service protection activities, however, may require contacts with juvenile offenders involved in a variety of law enforcement incidents. For the purpose of these guidelines the term juvenile shall mean a person who has not attained the eighteenth birthday. The term parent shall mean parent or legal guardian as defined by the appropriate State law.

The Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415) was intended to improve the quality of juvenile justice in the United States.

II. Policy

All enforcement actions involving juveniles will be in strict accord with the law, pertinent court decisions, and related legal guidelines. Additionally, law enforcement employees should utilize all remedial influences at their disposal before instituting legal action against a juvenile offender.

III. Guidelines

A. An appropriate course of action in dealing with juvenile offenders shall be the lowest level of enforcement necessary to prevent recurrence of a violation in the foreseeable future. A sequence of actions applicable to juvenile offenders, beginning with the lowest level, follows:

1. Warn and release.
2. Warn, release and notify a parent.
3. Warn and release to a parent.
4. Cite, release and notify a parent.
5. Cite and release to a parent.
6. Turn over to local authorities and notify a parent.
7. Arrest and notify a parent.

B. Since procedures may vary among judicial districts, it is imperative that areas work with the responsible U.S. Attorney's Office and the U.S. Magistrate to establish local guidelines for the handling of juvenile offenders.

C. Offenses committed by juveniles are divided into two categories:

1. Violation of park regulations and assimilated petty offenses.
2. Violations of State or Federal statutory law.

The Juvenile Justice and Delinquency Prevention Act of 1974 states that in the absence of or refusal to assume jurisdiction by the appropriate court of a State over an alleged act of juvenile delinquency, proceedings can be initiated in the appropriate United States District Court.

However, the U.S. Attorney General's Office has ruled that within the meaning of the above Act, a petty offense is not a crime and therefore, petty offenses committed by juveniles can be handled by a U.S. Magistrate provided the penalty for such offense will fall short of imprisonment.

Therefore, violations of park regulations, along with assimilated petty offenses that do not customarily result in jail sentences, may be handled through the violation notice procedure. This pertains to violations that are handled through the collateral system or through mandatory appearance before the U.S. Magistrate. Whenever a juvenile appears before a U.S. Magistrate in response to a violation notice, a parent should be advised and encouraged to attend the proceedings. This involvement should be coordinated with the respective U.S. Magistrate.

Cases involving violations of park regulations and assimilated petty offenses for which the imposition of a jail sentence is a likely possibility must be referred to and coordinated with the respective U.S. Attorney.

The key criteria is whether, in the judgment of the law enforcement employee, the offense is one where the juvenile may forfeit collateral or the U.S. Magistrate will most likely impose only a fine and/or probation rather than a jail term.

Offenses by juveniles which are not violations of park regulations or assimilated petty offenses may be either State or Federal offenses, depending on the nature of the offenses and the area's jurisdiction. These offenses will be handled in one of the following ways:

1. State offenses which are not Federal offenses will be handled by State authorities when the State has jurisdiction. Consultation with appropriate State juvenile authorities should be held to determine procedures for the respective area.
2. Federal offenses which are also State offenses, should be handled by State authorities. This may well be dependent on the U.S. Attorney's Office having made appropriate arrangements with State authorities under provisions of the Juvenile Justice and Delinquency Prevention Act.

If no arrangements have been made, the U.S. Attorney's Office should be notified and consulted as to the appropriate procedure. This may be required on a case-by-case basis.

3. Federal offenses which are not State offenses, including offenses occurring in areas of exclusive jurisdiction will be handled by the U.S. Attorney's Office. In such cases the U.S. Attorney's Office will be notified and consulted.
- D. Other provisions of the Juvenile Justice and Delinquency Prevention Act which may have impact on field operations include:
 1. Whenever a juvenile is taken into custody for an alleged act of juvenile delinquency, the arresting employee shall immediately advise such juvenile of his/her legal rights, in such language that the juvenile can understand, and should immediately notify the U.S. Attorney's Office and the juvenile's parents. The parents should also be advised of the nature of the alleged offense and informed of the juvenile's rights.
 2. Juvenile offenders will not be photographed or fingerprinted except by written consent of a U.S. District Judge or U.S. Magistrate.
 3. The detention of juveniles must be in a federally approved facility. Alleged juvenile delinquents should not be transported or detained with adult offenders or adjudicated juvenile offenders.
 4. Whenever a juvenile is charged with an offense, the juvenile's name shall not be released to the public or the news media. This also includes any information that may identify the juvenile or prejudice the proceedings. In addition, no information relating to the proceedings can be disclosed to anyone other than the judge, counsel for the juvenile and counsel for the Government.
 5. The name, address and any other identifying information on the juvenile offender should be omitted from the Case Incident Report (Form 10-343). The word juvenile should be substituted in the appropriate place. A general statement of the facts of the case should be on the 10-343. The name and address of the juvenile offender, as well as the full details of the incident, should be recorded on the Supplementary Case Incident Report (Form 10-344) using the same case number as the 10-343.

This information is to be handled as controlled information and not made available to the public, the press or other persons (including NPS employees) not involved in the case.

- E. In areas where law enforcement employees are acting under authority of deputization from a cooperating agency, the procedures of the deputizing agency will be followed.
- F. It is the intent of Congress, as expressed in the "Runaway Youth Act," 42 U.S.C. 5701, that runaway youths not be treated as juvenile offenders. Therefore, employees should deal with runaway juveniles in compliance with this law and in accordance with State and local law and policy.

DIPLOMATIC IMMUNITY

I. Introduction

Diplomatic immunity, a principle of international law, is broadly defined as the freedom from local jurisdiction accorded duly accredited diplomatic agents and members of their immediate households. The Vienna Convention on Diplomatic Relations, which contains the current law on the subject of diplomatic privileges and immunities, is incorporated in Federal law by the Diplomatic Relations Act of 1978 (P.L. 95-393). The Convention applies to members of the staff of a foreign diplomatic mission, which includes the diplomatic, administrative and technical, and service staffs of the embassies in the United States. It does not include consular personnel, whose privileges and immunities are governed by the Vienna Convention on Consular Relations.

II. Policy

Diplomatic and consular officers shall be accorded their respective privileges, rights and immunities as directed by international law and Federal statute. These officials shall be treated with the courtesy and respect that befit their distinguished positions.

III. Guidelines

- A. Diplomatic agents and members of their families who are not nationals of the United States have full immunity from arrest, detention, or prosecution for any criminal offenses, unless such immunity is expressly waived by the sending State. The above individuals also enjoy immunity from civil process except in certain actions involving private activities outside their official functions.

The administrative and technical staff of a foreign mission, and members of their families who are not nationals or permanent residents of the United States, have full immunity from arrest, detention or prosecution for any criminal offense. Such employees enjoy immunity from civil process only for those actions carried out in their official capacity. Family members of such employees are not immune from civil jurisdiction.

Members of the service staff of a foreign diplomatic mission, which include drivers, messengers, and security guards, enjoy immunity only for actions carried out in the course of their official duties. Family members of such individuals have no immunity.

Private servants of embassy personnel have no immunity.

Associated with this personal diplomatic immunity is the inviolability enjoyed by the premises of the mission of the sending State and the private residence of a diplomatic agent or member of the administrative or technical staff. Such inviolability extends to his or her property, papers and correspondence.

B. Diplomatic Officers

Ambassadors and ministers are the highest ranking diplomatic representatives of a foreign government. Other diplomatic titles are Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary, and Attache. These officials are located either in Washington, D.C., or in New York City and carry diplomatic identification documents issued by the State Department.

C. Consular Officers

Consular officers are Consuls-General, Deputy Consuls-General, Consuls and Vice Consuls. They are also official representatives of foreign governments. Consular officers are required to be treated with due respect, and all appropriate steps are to be taken to prevent any attack on their person, freedom or dignity. They are entitled to limited immunities as described below.

D. Immunities Accorded to Career Consular Officers

Under prevailing international law and agreement, a foreign career consular officer is not liable to arrest or detention pending trial except in the case of a grave crime (felony offense that would endanger the public safety) and pursuant to a decision by the competent judicial authority. His immunity from criminal jurisdiction is limited to acts performed in the exercise of consular functions and is subject to court determination.

E. Identification of Recognized Consular Officers

Career consular officers can be identified by credentials issued by the State Department and by other locally issued official identification papers.

The State Department credential bears its seal, the name of the officer, his title, and the signature of State Department officials.

F. Honorary Consuls

Often nationals or permanent residents of the receiving State are appointed and received as honorary consular officers to perform the functions generally performed by career consular officers. Such officers do not receive identification cards from the State Department, although they may exhibit reduced-size copies of the diplomatic note evidencing recognition by the United States Government. These individuals are not immune from arrest or detention; they are also not entitled to personal immunity from the civil and criminal jurisdiction of the receiving State except as to official acts performed in the exercise of their consular functions. However, appropriate steps must be provided to accord to such officers the protection required by virtue of their official position. In addition, the consular archives and documents of a consular post headed by an honorary consul are inviolable at all times and wherever they may be, provided they are kept separate from other papers and documents of a private or commercial nature relating to the other activities of an honorary consul and persons working with him.

G. Families of Consular Officers

Family members of consular officers do not enjoy the same privileges and immunities with respect to the civil and criminal jurisdiction of the receiving State as do consular officers. However, they should be accorded appropriate courtesy and respect.

H. Consular Premises

Consular premises used exclusively for the work of the consular post cannot be entered without explicit permission of the head of the consular post or his designee or by the head of the diplomatic mission. This permission may be assumed in the case of fire or other disaster requiring prompt protective action.

I. Consular Archives, Documents, Records and Correspondence

The consular archives and documents are inviolable at all times and wherever they may be. The official correspondence of the consular post, which means all correspondence relating to the consular post and its functions, is likewise inviolable.

J. Methods of Handling Selected Incidents, Violations or Minor Offenses
By Consular Officers

1. Moving Traffic Violations

When a consular officer is stopped for a moving traffic violation, the commissioned employee on the scene, upon being advised by the driver that he is a consular officer and ascertaining that he possesses the proper credentials, should exercise discretion based on the nature of the violation. Disposition should involve a warning or a citation. Mere issuance of a traffic citation does not constitute arrest or detention in the sense referred to previously.

2. Driving While Under the Influence

The primary consideration in this type of incident should be to see that the consular officer is not a danger to himself or the public. Based upon a determination of the circumstances, the following options are available:

- a. Transport to a telephone so that they can call a relative or a friend to come for him.
- b. Call a taxi.
- c. Transport home.

Unless a consular officer is considered a serious danger to himself or others, he should not be physically restrained.

At best this is a sensitive situation. The official should be treated with respect and courtesy. It should be impressed upon him that the commissioned employee's primary responsibility is to care for their safety and the safety of others.

K. Offenses Involving Family Members of a Consular Officer

Family members of a consular officer who commit offenses cannot claim immunity. However, consideration should be given to the special nature of such a case. A violation should be handled, when possible, through the seeking of a complaint. The individual should be released once positive identification is made and relationship with the consular official is verified. If the relative is a juvenile, the subject should be released to the parent consular officer.

L. Reporting of Incidents

In the event that a consular officer or employee or members of their families or personal staff should become involved in a serious action, it is suggested that the Office of Protocol, Department of State, be furnished with all pertinent information. This will be done through the U.S. Park Police Communications: telephone (202) 426-6600 or FTS 426-6600.

1. During regular hours, Office of Protocol

For consular officers (202) 632-0706

For consular employees (202) 632-0605

After normal hours, all calls should be made to the Command Center of the Office of Security (202) 632-2412.

- a. In all incidents involving individuals with diplomatic immunity, the required information will be recorded on a Form 10-343. All pertinent facts will be recorded on a Form 10-344. All other reports applicable to the incident will be completed.
- b. In all incidents involving diplomatic immunity, the employee will notify his immediate supervisor as soon as possible.
- c. If applicable, the incident will be reported following the guidelines for the reporting of emergencies and other significant happenings.
- d. After review by the Superintendent, copies of all reports involving an individual with diplomatic immunity will be immediately sent to the Regional Law Enforcement Specialist, and to the Chief, Division of Visitor Services, Washington Office. Based on the Superintendent's recommendation and at the discretion of the Washington Office, a copy of the report may be forwarded to the Office of Protocol, Department of State.
- e. Media releases concerning incidents involving diplomats should be cleared through the Regional Public Affairs Office.

CRIME PREVENTION AND PHYSICAL SECURITY

I. Introduction

The National Park Service has been entrusted with the responsibility to protect, preserve and manage the use of a great variety of historic, archeological and cultural resources for this and future generations. The physical security of these resources, which in many cases are priceless and irreplaceable, is the responsibility of each employee, regardless of job assignment. The Departmental Manual entitled Physical Security and NPS Management Policies entitled "Security Measures for Cultural Properties" establish policy for the security of these resources. These references should be reviewed for appropriate guidance.

Additionally, the NPS must provide for the protection and security of the park visitor, the employee, concessioner and all Government property. Chapter VII of the NPS Management Policies provides further guidance concerning crime prevention programs.

For the purpose of this chapter the definition of crime prevention is: "the anticipation, the recognition, and the appraisal of a crime risk and the initiation of action to remove or reduce it."

II. Policy

The National Park Service shall use all reasonable and appropriate means to protect the cultural, historic and archeological resources entrusted to its care. It shall likewise provide for the protection, safety and security of the park visitor, employee, concessioner and all Government property. The objective of the NPS crime prevention and physical security program is reduction or elimination of the opportunities for criminal activity.

The Superintendent is responsible for maintaining a current comprehensive crime prevention and physical security plan for each park area.

III. Guidelines

- A. The Washington Office will assign a national Physical Security Coordinator who will be responsible for the following:
 - 1. Development of policy and programs relating to physical security.
 - 2. Coordination with the Physical Security Coordinators for the Denver Service Center, the Harpers Ferry Center and each region in terms of information distribution and policy compliance.

3. Provide coordination with the Denver Service Center, Harpers Ferry Center, and other NPS offices to ensure that physical security is considered in all aspects of NPS programs.
 4. Provide technical information to the Physical Security Coordinators.
 5. Provide for evaluation and review of NPS physical security programs.
- B. Each Regional Director shall assign a Regional Physical Security Coordinator who will:
1. Develop programs and guidelines relating to physical security.
 2. Coordinate with park Physical Security Coordinators in terms of information distribution, policy compliance and training.
 3. Establish a review program to ensure compliance with policies.
 4. Provide technical information.
 5. Receive a minimum of two weeks basic instruction in crime prevention method and techniques.
- C. Park Superintendents shall assign a Physical Security Coordinator who will:
1. Develop and implement a physical security plan for the park.
 2. Provide for a physical security survey of all structures and other facilities every two years.
 3. Develop appropriate training programs to ensure an awareness and knowledge of approved program strategies by all park employees.
 4. Develop appropriate visitor information as needed.
- D. Law Enforcement Employees will:
1. Provide patrols to ensure appropriate security of park areas, resources and facilities to reduce opportunities for crimes against persons and property.

2. Provide inspections to ensure security of buildings, structures and other facilities.
3. Report and document all unsecured installations and provide for the appropriate level of investigation.
4. Ensure the investigation of all assaults, robberies, burglaries, larcenies and other crimes against persons and property.
5. Ensure that all necessary information is entered in or deleted from the N.C.I.C. system as appropriate.

LAW ENFORCEMENT VEHICLES/VESSELS AND EMERGENCY DEVICES

I. Introduction

Departmental policy (DM 446.2.2N) requires that vehicles used for law enforcement purposes be identically marked as law enforcement vehicles. A National Park Service regulation (36 CFR 3.2) requires that NPS boats be distinctively marked. The primary reason for such identification is to provide park users with a recognizable source of authority and help in emergencies.

II. Policy

All vehicles and vessels used for law enforcement and other protection functions shall be clearly identifiable to park users, except vehicles used for investigation, surveillance or undercover purposes. Such markings on vehicles/ vessels will be in compliance with Departmental and NPS standards. All such vehicles and vessels will be properly equipped to carry out assigned functions efficiently and safely.

III. Guidelines

A. Vehicle Markings

1. Vehicle color will be white.

Vehicles shall be marked in accordance with Department of Interior and other Federal property management regulations (41 CFR 101-38.4 and 114-38.4). In addition, a green reflective stripe, approximately four inches wide will be placed horizontally along both sides and the rear of each vehicle. The legend Park Ranger will be placed above each front wheel well and on the rear of the vehicle, incorporated into and in line with the green stripe. To the extent possible, the marking will be continuous along both sides and the rear. The National Park Service arrowhead will be placed on each front door and will not exceed 10 inches in vertical length.

2. The green striping tape shall be purchased from local sources; whereas the park ranger and arrowhead decals are available through central supply.
3. As a minimum, lights on law enforcement and emergency vehicles will comply with appropriate State laws. Where State laws do not apply, emergency vehicles and vehicles used primarily for law enforcement will be equipped with multiple lights and siren. Any equipment mounted on the roof will be mounted on a single bar. Supervisory vehicles and vehicles not routinely used for law enforcement purposes may use grill lights, portable roof lights, or spotlight covers. Uniformity within a park should be maintained whenever possible.

B. Vessel Markings

1. National Park Service vessels shall be marked as follows: Three adjacent diagonal stripes running from the waterline to the gunwale on both port and starboard topsides approximately quarter length from the bow. The stripes are set at an angle of 30° vertical, approximately parallel to the bow. The insignia consists of a broad forest green stripe followed by two narrow white and forest green stripes respectively. Width of the broad green stripe shall be one half the vertical distance between gunwale and waterline. The narrow white and green stripes are 8% and 11% the width of the main green stripe respectively.

The National Park Service arrowhead symbol shall be centered within the confines of the broad green diagonal stripe.

The words "National Park Service" in contrasting color to the vessel hull, shall be utilized in place of State identification/registration numbers on the bow.

2. Vessels used in law enforcement should display red or blue flashing light as required by State law when practicable.

C. Equipment standards

1. Vehicles used primarily for law enforcement or emergency purposes shall be ordered with a standard law enforcement package.
2. Depending on park needs, law enforcement vehicles may include sedans, pick-ups, station wagons and four wheel drive vehicles.

USE OF EMERGENCY VEHICLES

I. Introduction

Experience and studies suggest that, nationwide, law enforcement officers may kill more citizens with their vehicles than they do criminals with their firearms. Other studies show that more officers are killed in motor vehicles than by gunfire. Many of these injuries will result in lawsuits being filed against law enforcement agencies and individual officers.

Under circumstances prescribed in this chapter, law enforcement employees may engage in pursuit driving or respond to emergency situation that may involve exceeding posted speed limits or failing to comply with other regulatory signs and devices.

Employees operating properly equipped and marked patrol vehicles when not engaged in emergency response or pursuit are legally held to the same obligations to obey all traffic controls as are members of the general public.

For the purpose of this chapter pursuit is defined as, "pursuit of a person who has committed or is reasonably suspected of committing an offense, and the pursuing employee is engaged in following the suspect immediately thereafter."

Emergency response is based on a reasonable belief that immediate attention is required to safeguard human life and/or protect property.

An emergency vehicle is defined as one which, in accordance with applicable State law is equipped with an emergency light(s) affixed to the vehicle and a siren (audible warning device). A vehicle will not be considered an emergency vehicle unless both the emergency light and siren are activated.

II. Policy

It is the policy of the NPS that employees respond to emergencies and engage in pursuit situations in a safe and expeditious manner. Such operation of motor vehicles will be in conformance with applicable State laws. Vehicles utilized for pursuit or high speed emergency responses will be identified and equipped with a standard law enforcement package.

It is recognized that in some instances emergency vehicles are operated exceeding the prima facie or posted speed limits without emergency warning devices activated or with just the emergency roof light activated. This practice is a legitimate function in many instances such as a traffic pace or response to a silent intruder alarm.

III. Guidelines

- A. Operation of an emergency vehicle with emergency devices activated may occur:
 - 1. At such times, when in the reasonable belief of the operator, an emergency is imminent or exists and the activation of emergency warning devices is necessary in order to protect life or render assistance;
 - 2. When directed by a dispatcher or a supervisor;
 - 3. To effect the arrest or prevent the escape of a fleeing law violator after other reasonable means have failed;
 - 4. When necessary to effect a traffic stop;
 - 5. When necessary while providing escort services;
 - 6. When necessary while responding to the scene of a fire, accident, or other emergency. Emergency lights shall remain activated at the scene of such incidents when necessary to protect against further injury or property damage.
- B. Operation of an emergency vehicle at a speed in excess of the posted speed limit without warning devices activated is authorized when:
 - 1. Responding to a law enforcement incident where emergency warning devices would likely prevent apprehension or endanger human safety.
 - 2. When pacing a car prior to conducting a traffic stop.

Serious consideration must always be given to whether the need to operate above the posted speed limit justifies the increased danger created when emergency equipment is not fully utilized. In these situations, it must be recognized that the officer does not have the legal right of way. At stop or yield devices, speed must be reduced or a stop made to insure that the way is clear to proceed.

- C. Emergency vehicles shall be operated with headlights turned on in conjunction with emergency lights and audible warning devices. This shall apply to daytime as well as nighttime driving. Headlight flashers are authorized for use during daylight hours.
- D. Emergency vehicles may be operated to a maximum of 30 MPH in excess of the posted or prima facie speed limit.
 - 1. However, a commissioned employee who is in fresh pursuit of a known felon may exceed these speed limit restrictions when a substantial risk exists that the person to be arrested will cause death or serious bodily harm if his apprehension is delayed. Under no circumstances, however, may emergency vehicles be operated at a speed greater than reasonable or prudent under existing conditions.
- E. The use of emergency warning devices shall not be considered as guaranteeing a right-of-way, but rather as an attempt to facilitate the gaining of a right-of-way.
- F. Prudence and care must be exercised in the area of schools in session, visitor centers, intersections, wildlife crossings, and at other such locations where a potential danger may arise to the public or to NPS personnel. Regardless of circumstances, vehicles must always be operated with due consideration and allowance given for road, traffic and weather conditions, the possibility of pedestrians or animals on the roadway and factors influencing the driver's physical condition.
- G. Escorts shall normally be conducted without exceeding the posted or prima facie speed limit, using emergency equipment only to gain right-of-way. Employees are discouraged from escorting persons in private vehicles to medical facilities.
- H. The use of emergency warning devices while transporting sick or injured shall be primarily for the use of gaining the right-of-way.
- I. The operator of any vehicle subject to emergency use is responsible for routinely checking the vehicle and the emergency warning devices for any safety or mechanical defects and ensuring regular preventive maintenance.
- J. When possible, emergency vehicles shall not contain less than one half (1/2) tank of gas.

K. Pursuit situations

1. The decision, responsibility and method of pursuit rests primarily with the operator. The decision shall be based on existing law, guidelines and training, as well as the conditions that exist at the time.
2. In pursuit situations, where a law violator has clearly demonstrated his intention to avoid apprehension, the direct responsibility for exercising good judgment is placed on the pursuing employee. Law Enforcement employees involved in pursuit situations must continually question whether the seriousness of the violation reasonably warrants continuation of the pursuit. A pursuit shall be discontinued when there is a clear danger to the public or to the pursuing employee. A decision by an employee to continue pursuit must reflect: weather and road conditions, visibility, dangers to other motorists and pedestrians, wildlife present, availability of assistance and probability of successful apprehension in light of these risk factors.

3. Approaching and entering intersections

When engaged in emergency response or pursuit, operators of emergency vehicles shall adhere to the following minimum standards applicable to intersections:

- a. When approaching an intersection at which a light signal or stop sign is displayed, reduce speed or stop, and proceed through only when safe and reasonable to do so.
- b. Comply with all other requirements applicable to uncontrolled intersections or intersections controlled by yield signs, proceed through only when safe and reasonable to do so, stopping if necessary.

IMPOUNDMENT OF PROPERTY

I. Introduction

Circumstances are frequently encountered by Service personnel which require that motor vehicles, vessels, aircraft or other property be moved or taken into custody. Motor vehicles, vessels, aircraft or other property that present a hazard to visitor safety or threaten park resources will be impounded. Such property may also be impounded as necessary to preserve evidence of a crime or to safeguard against theft or damage.

II. Policy

Vehicles, vessels, aircraft and other property impounded will be handled according to written procedures formulated by each park. These procedures will be predicated on State or Federal law and applicable Federal regulations.

III. Guidelines

Procedures established for impounding of property will include:

- A. Use of a standard form or report to record the necessary information concerning the impound.
- B. Mandatory requirement to inventory the contents of impounded vehicles, vessels, or aircraft.
- C. NCIC computer status check on any vehicle, vessel, or aircraft impounded. Follow-up NCIC checks should be made as appropriate.
- D. NCIC computer status check on any firearms or serial numbered item of value impounded as abandoned or lost.
- E. Methods for protecting impounded property from damage or theft.
- F. Means of disposing of impounded property of all types in accordance with 36 CFR and 41 CFR.

COMPUTERIZED INFORMATION SYSTEMS

I. Introduction

Beginning in the late 1960's, several computerized law enforcement information systems were developed. The principle nationwide system is the National Crime Information Center (NCIC) administered by the FBI. Other State and regional systems serve respective geographic areas and often interface with the national system.

Generally, information that can be entered or retrieved from these systems can be described in six (6) components:

- A. Information on "wanted" people.
- B. Stolen vehicles.
- C. Certain stolen property (firearms, cameras, binoculars, other items with specific numbers).
- D. Registered owners of automobiles.
- E. Criminal history.
- F. Drivers license information.

II. Policy

The National Park Service endorses the utilization of computerized information systems as support systems to its law enforcement program. All employees utilizing these systems will ensure that they comply with the established Federal State and local standards, procedures and criteria to protect the systems security and discipline. All queries of or entries into a system will be made by or at the request of a commissioned employee.

III. Guidelines

- A. A computer "hit" alone is probable cause to detain an individual, but not probable cause to arrest. A "hit" is but one fact which must be added to other facts to accumulate sufficient legal grounds for probable cause to arrest. A "hit" must be verified through the originating agency.
- B. Dissemination of criminal history record information will be in compliance with those regulations published by the Department of Justice or other controlling agency.
- C. All stolen, recovered, or seized firearms or personal property will be checked, entered or deleted in accordance with criteria established for respective information systems.

- D. All seized, recovered or stolen Government property will be entered or deleted in accordance with criteria established for respective information systems.

1. All seized, recovered or stolen Government property will be returned to the owner in accordance with criteria established by the Department of Justice.

REPORTS PROCEDURES

I. Introduction

The Uniform Servicewide Incident Reporting System was implemented throughout the National Park System on January 1, 1974. The following statements reflect, generally, the purposes of this system:

- A. Provides a means by which each of the variety of incidents investigated and handled by park personnel can be documented.
- B. Gives management a tool to quantify law enforcement and other activities.
- C. Identifies existing problems in terms of location, season, time, etc.
- D. Strengthens justification for decision making and requests for additional resources to meet operational standards.

II. Policy

In compliance with Departmental law enforcement policy, the National Park Service will maintain an efficient reporting and information management system.

III. Guidelines

The case incident reporting system consists of a series of forms designed to provide documentation of accidents, law enforcement actions and investigations, and visitor services. Appropriate use of each of these components is described as follows:

- A. Case Incident Record (Form 10-343) is used to document the total circumstances (who, what, when, where, how, why) of non-criminal incidents.
 - 1. This record must be submitted for the following non-criminal circumstances:
 - a. Incidents involving natural resources
 - b. Violation notices based on third party complaints (parking complaints, etc.)

- c. Structural fires
 - d. When a tort claim is a clear possibility (other than boating or motor vehicle accidents)
 - e. Significant search/rescue operations (i.e. substantial cost, manpower, public interest, need for assisting groups, etc.)
2. Based on information needs, Superintendents may further require Case Incident Reports for other activities such as, but not limited to:
- a. Visitor services
 - b. Visitor complaints
 - c. Safety hazards
 - d. Incidents involving wildlife or domestic animals
 - e. Unsecured installations
 - f. Emergency medical services
3. Distribution of Case Incident Record
- A Case Incident Record should not be separated for distribution until a number has been assigned. It may then be distributed in the following manner:
- a. White copy--filed at headquarters to assure easy retrieval.
 - b. The remaining copies will be distributed and filed in the manner that best meets park and region needs.
- B. Case Incident Record (Short Form 10-343A) is a shortened version of the longer form 10-343. It is to be used when the information necessary to document an offense or incident can be accommodated on the shorter form. Distribution is the same as for the Form 10-343.
- C. Criminal Incident record (Form 10-343B), Exhibit 1, is used to document criminal incidents only. This form has been designed to obtain more and better investigative information in a format that can be readily retrieved. Forms 10-343 and 10-343A will continue to be used for non-criminal reporting.

1. Because the Criminal Incident Record will be used as a court document, supervisors shall give special attention to the legibility of reports, and if necessary, printing or typewriting shall be required. Supplementary reporting will be done on Forms 10-344A and 10-344B, as appropriate.
2. This record must be submitted for each of the following offenses/violations:
 - a. Homocide
 - b. Rape
 - c. Robbery
 - d. Assault
 - e. Burglary
 - f. Larceny-Theft
 - g. Vehicle Theft
 - h. Arson
 - i. Narcotics and Drug Laws
 - j. Fraud
 - k. Forgery and Counterfeiting
 - l. Vandalism
 - m. Weapons
 - n. Disorderly Conduct

D. Supplementary Case Incident Record (Form 10-344) is designed to be used in conjunction with the Case Incident Record.

1. This record should be completed:
 - a. When there is insufficient space to complete the narrative of an incident on a Case Incident Record (Form 10-343).
 - b. When additional information is documented concerning a previously reported incident (new leads, recovered property, etc.).
 - c. To document interviews
 - d. To record status or disposition of evidence, i.e., sent to laboratory, destroyed, returned to owners, etc.

Details concerning investigative techniques, confidential sources, personal information, opinions, or other matters that may be withheld from the public in accordance with provisions of the Freedom of Information Act should be set forth on a separate memorandum sheet, not on the 10-344. Decisions to disclose or withhold information will be based on content and language, NOT on the form used.

2. Distribution of Supplementary Case Incident Record. The distribution of this form is identical to that of the Case Incident Record. All reports with the same number should be filed together to represent a complete story of the incident.

E. Supplementary Criminal Incident Record (Form 10-344A), Exhibit 2, is used as a continuation of Form 10-343B to record additional arrests, suspects, use of defensive equipment, or others involved in the incident. Items 32 through 40 at the bottom of this form deals with follow-up and disposition of the case. Supervisors shall give special attention to the legibility of reports, and if necessary, require printing or typewriting.

1. This form is also used to initiate and explain a change in the incident classification, which can be handled by way of a written record. When a record is already on file, the 10-344A will be used to change the classification of the incident.

Example: Upon further investigation, the victim comes forward with a "true" story, and what was initially reported as an assault, hands and fists, actually resulted in a Forcible Rape.

a. Accordingly, place the proper classification in Item 6 and explain the change in the first sentence of the "Results of Investigation".

F. Supplementary Criminal Incident Record (Form 10-344B), Exhibit 3, can be used for further investigation, drawing diagrams, pictures, and sketches. If there are additional persons to be named in the narrative, be sure to obtain the same information and use the format as in Forms 10-343B and 10-344A. This record should be typed in most cases.

G. Violation Notice (Form 10-50) is used to notify a person to appear before a U.S. Magistrate, or post collateral for alleged violation of a petty offense. It is required in arrest situations.

The issuance of a Violation Notice for personally observed routine violations i.e., traffic offenses, violation of camping or fire regulations, dogs off leash, etc. does not require submission of a case incident record. A Case Incident Record should be completed when a Violation Notice is issued as the result of an investigation on a third party complaint, investigation of an offense against property, or whenever the facts prompting the Violation Notice cannot be adequately documented in a less formal fashion.

1. Issuing a Violation Notice

- a. Forfeiture of collateral--use when the schedule of collateral approved by the District Court, indicates a pre-established sum that can be mailed to the Clerk, U.S. District Court in lieu of personal appearance.
- b. Mandatory court appearance--use when:
 - (1) The violator has committed an offense for which the schedule of collateral indicates a mandatory court appearance is required.
 - (2) Unusual circumstances warrant personal appearance before the U.S. Magistrate regardless of schedule of collateral i.e., collateral appears too severe or too lenient, past history of offenses, citizen arrest, etc.
- c. Completion of the Violation Notice
 - (1) Subsequent to issuing the Violation Notice to a violator, employees must document probable cause and other pertinent circumstances that prompted the citation on the back of the Violation Notice.
 - (2) Except when directed by the District Court, U.S. Magistrate, or when acting under appointment from another agency, employees will not personally accept collateral forfeiture from a violator.

2. Distribution of Violation Notice copies

- a. When forfeiture of collateral is indicated, unless otherwise directed, the first two copies should be mailed to the Central Violation Bureau (CVB) c/o Clerk, U.S. District Court, within 48 hours of issue. The Violation Notice Transmittal Form (10-49) is the administrative record that must be completed to accompany the Violation Notice to the CVB.
- b. When mandatory appearance is indicated, unless otherwise directed, the first two copies should be transmitted to the U.S. Magistrate within 48 hours and the U.S. Attorney's Office notified whenever appropriate.
- c. The remaining copies may be distributed and filed within the park according to area needs.

- H. Courtesy Tag (Form 10-33) is a written notice that documents contact with a visitor concerning violation of a park regulation. It establishes a record of violations that includes some basic information concerning responsible individuals.

The original or white copy of the courtesy tag is the violator's copy. The blue copy may be filed according to area needs.

- I. Traffic Accident Report (Form 10-413) is used to standardize the reporting of all traffic accidents that occur in NPS areas. This report should be submitted with a complete diagram, photos and other investigative documentation in all motor vehicle accidents when:
1. Estimated damages exceed the minimum identified by respective States.
 2. A Government vehicle is involved.
 3. There is a clear possibility of a tort claim.
 4. There is personal injury.
 5. A Violation Notice is issued alleging a traffic or criminal offense.

When a motor vehicle accident occurs that results in less than the minimum estimated property damage identified by respective States, and when none of the above criteria exists, a completed Traffic Accident Report is sufficient. A diagram, photos, etc., are not necessary unless deemed important by the accident investigator.

Until such time as a servicewide form is developed, park areas are encouraged to develop forms to document boating accidents in accordance with approved U.S. Coast Guard reporting procedures.

Related accident reports may be required by respective State governments of individuals involved in boat or motor vehicle accidents. Each park should determine which, if any, State forms must be completed by operators. If appropriate, the park should have a supply available to assist visitors who may be involved in an accident.

J. Reporting Standards

Reports must be clearly written, concise and contain factual information on the incident and its investigation.

Reports must be written carefully to clarify non-involvement by persons whose reputations would suffer by innuendo or projection of incorrect impressions as to the nature of the incident.

Incident Reports likely to be reviewed by other parties, i.e., press, court officials, lawyers, insurance representatives, etc. should be typed. Examples of such reports include:

1. Felonies.
2. Incidents involving serious injury or death.
3. When defensive equipment is used by an employee.
4. When a tort claim is a clear possibility.

K. Computerization of the Incident Reporting System

Until 1980, all incidents were entered into a computer in the Washington Office and several types of summaries were periodically sent to the parks. At present there is no servicewide computer system and administration is largely delegated to the regional offices. This chapter will be revised when new servicewide administrative procedures are implemented.

Parks are authorized to continue using the 10-345 in support of data collection.

LAW ENFORCEMENT
NPS-9

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Guideline
Chapter 21, EXHIBIT 1

U.S. PARK POLICE ☐
PARK RANGER/TECH ☐
1 JUVENILE CASE ☐

CRIMINAL INCIDENT RECORD

2 ORGANIZATION CODE				3 SYSTEM AREA				4 LOCATION CODE				5 YEAR		CASE/INCIDENT NUMBER					
6 LOCATION OF INCIDENT							7 BEAT	8 WHEN DID IT OCCUR?	MO.	DAY	YR	9 24 HOUR TIME	HRS	MIN	10 DAY OF WEEK				
11 OFFENSE/INCIDENT CODE				12 NATURE OF INCIDENT								13 WHEN RECEIVED DATE				TIME			
WITNESS COMPLAINANT VICTIM	14 LAST				FIRST				MI		C V W		15 DATE OF BIRTH		16 PHONE BUSINESS				
	17 ADDRESS NUMBER				STREET				CITY		STATE		ZIP		18 PHONE RESIDENCE				
	19 LAST				FIRST				MI		C V W		20 DATE OF BIRTH		21 PHONE BUSINESS				
	22 ADDRESS NUMBER				STREET				CITY		STATE		ZIP		23 PHONE RESIDENCE				
ARRESTED SUSPECT OTHER	24 LAST				FIRST				MIDDLE		A S O		25 DATE OF BIRTH		26 PHONE BUSINESS				
	27 ADDRESS NUMBER				STREET				CITY		STATE		ZIP		28 PHONE RESIDENCE				
	29 RACE	30 SEX	31 AGE	32 HGT	33 WGT	34 EYES	35 HAIR	36 HAIR LENGTH	37 HAIR STYLE	38 FACIAL HAIR	39 MARKS/SCARS		40 ARMED WITH						
	41 HAT		42 COAT/JACKET		43 SHIRT		44 TROUSERS/SKIRT		45 SHOES		46 SOCIAL SECURITY NUMBER		47 PDID						
48 LAST				FIRST				MIDDLE		A S O		49 DATE OF BIRTH		50 PHONE BUSINESS					
51 ADDRESS NUMBER				STREET				CITY		STATE		ZIP		52 PHONE RESIDENCE					
53 RACE	54 SEX	55 AGE	56 HGT	57 WGT	58 EYES	59 HAIR	60 HAIR LENGTH	61 HAIR STYLE	62 FACIAL HAIR	63 MARKS/SCARS		64 ARMED WITH							
65 HAT		66 COAT/JACKET		67 SHIRT		68 TROUSERS/SKIRT		69 SHOES		70 SOCIAL SECURITY NUMBER		71 PDID							
72 VEHICLE ☐ INVOLVED IN CRIME ☐ KNOWN TO OPERATE				73 YEAR		74 MAKE		75 MODEL		76 BODY STYLE		77 COLOR		78 TAG NUMBER		79 STATE		80 IDENTIFYING FEATURES/VIN	
81 ☐ IMPOUNDED ☐ STOLEN ☐ RECOVERED ☐ SEIZED						REMOVED TO				REMOVED BY				82 NCIC ☐ TELETYPE ☐ RADIO LOOKOUT ☐					
83 ARREST(S) DATE				84 TIME		85 CHARGE(S)				86 COURT DATE				87 VALUE STOLEN \$		88 VALUE RECOVERED \$			
89 ITEM	NARRATIVE (1) CONTINUATION OF ABOVE ITEMS, INDICATE ITEM NUMBER AT LEFT, INCLUDE ADDITIONAL WITNESSES AND SUSPECTS. (2) INDICATE HOW NOTIFIED OF INCIDENT, DESCRIBE DETAILS OF INCIDENT (3) DESCRIBE PROPERTY AND ITS VALUE												90 STL	91 REC	92 PROP	93 VALUE			
94 INVESTIGATOR NOTIFIED																			
95 STATUS: ☐ OPEN ☐ SUSPENDED ☐ CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED																			
96 DISPOSITION																			
97 REPORTING OFFICER				BADGE/ID		DATE		98 ASSISTING OFFICER				BADGE/ID		99 SUPERVISOR		BADGE/ID		DATE	

FORM 10-344A
(3/83)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2 SYSTEM AREA					3 WHEN DID IT OCCUR?		MO.	DAY	YR	4 YEAR	CASE/INCIDENT NUMBER			
5 NATURE OF INCIDENT					6 RECLASSIFICATION OF INCIDENT									

S U S P E C T E D O T H E R	7 LAST		FIRST		MIDDLE		A	8 DATE OF BIRTH		9 PHONE BUSINESS			
							S						
							O						
10 ADDRESS NUMBER		STREET		CITY		STATE		ZIP		11 PHONE RESIDENCE			
12 RACE		13 SEX	14 AGE	15 HGT	16 WGT	17 EYES	18 HAIR	19 HAIR LENGTH	20 HAIR STYLE	21 FACIAL HAIR	22 MARKS/SCARS	23 ARMED WITH	
24 HAT		25 COAT/JACKET		26 SHIRT		27 TROUSERS/SKIRT		28 SHOES		29 SOCIAL SECURITY NUMBER		30 PDID	

I T E M	31 RESULTS OF INVESTIGATION											

32 WARRANT(S) ☐ YES ☐ NO		33 ☐ LATENTS ☐ PHOTOS		34 ID TECH NOTIFIED		35 INVESTIGATOR NOTIFIED		36 PAGE OF PAGES									
37 STATUS: ☐ OPEN ☐ SUSPENDED				CLOSED BY ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED													
38 REPORTING OFFICER		BADGE/ID		DATE		39 INVESTIGATOR		BADGE/ID		DATE		40 SUPERVISDR		BADGE/ID		DATE	



FORM 10-344B
(3/83)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2 SYSTEM AREA

3 WHEN
DID IT
OCCUR?

MO

DAY

YR

4 YEAR

CASE/INCIDENT NUMBER

5 NATURE OF INCIDENT

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

ITEM

8 WARRANT(S)

☐ YES
☐ NO

9

☐ LATENTS
☐ PHOTOS

10 ID TECH NOTIFIED

11 INVESTIGATOR NOTIFIED

12

PAGE OF PAGES

13

STATUS

☐ OPEN

☐ SUSPENDED

CLOSED BY:

☐ ARREST

☐ EXCEPTION

☐ UNFOUNDED

14 REPORTING OFFICER

BADGE/ID

DATE

15 INVESTIGATOR

BADGE/ID

DATE

16 SUPERVISOR

BADGE/ID

DATE

PUBLIC INFORMATION AND MEDIA RELATIONS

I. Introduction

The Freedom of Information Act, 5 U.S.C. §552, and the Department of the Interior regulations, 43 CFR §2.13, are based upon a long standing recognition of the peoples right to know what their Government is doing and the results of its activities. This right has been balanced by limitations contained in the Freedom of Information Act and further restricted by provisions of the Privacy Act, 5 U.S.C. 301, 552 and 552(a) and 43 CFR Part 2, subpart D.

While there is no distinction made between the general public and representatives of the news media concerning criteria to withhold or release information, a distinction is applicable with respect to the gathering of information in the field by the news media and others. Concerns for the safety of field personnel, media people, and others must guide public information strategies in field situations.

The purpose of this chapter is to assure compliance with laws and policies concerning information release. A second purpose is establishment of appropriate guidelines concerning relations with representatives of the media.

II. Policy

It is the policy of the NPS to provide the public and news media representatives with information consistent with applicable laws, Departmental policy, and NPS guidelines. The release of information will not be contingent upon the credentials, purpose, relationship, or identification of persons requesting the information.

Relationships with media representatives will be based on the rights of the public to have information, effective discharge of law enforcement responsibilities, and safety of all persons involved.

III. Guidelines

- A. Each area and/or office should designate personnel responsible for handling law enforcement informational requests. Such personnel shall familiarize themselves with revised Part 2, Title 43, Code of Federal Regulations. (See Federal Register, Vol. 40, No. 34 - Wednesday, February 19, 1975 -7304 through 7311.) Such designated personnel should establish close cooperation and liaison with news media in order to communicate NPS policies and to foster sound working relations in advance of actual situations. Such advance preparation can

only assist good understanding and aid in avoiding friction on the job. When possible, only one individual should release information concerning any law enforcement incident.

- B. Requests for information must be specific to the extent they are sufficient to identify that particular record sought. If a request is of such a broad category or scope that filling it would put an undesirable strain on efficient administrative operations, the requestor should be immediately instructed to make the request in writing to the Superintendent (i.e., all incident records for a 10-year period, etc.). In most instances, the Superintendent may find it necessary to charge for services of a document search, the making of copies, etc., as set forth in 43 CFR.
- C. A person requesting information is entitled to see the document and/or receive a copy of the document on which information is contained. If there is information in the document which is to be withheld, it should be covered over on the original or deleted from the copy. The requestor should be informed that a deletion has been made.
- D. Decisions to release and disclose information concerning both law enforcement and non-law enforcement matters shall be based upon the following guidelines:
 - 1. Generally, disclosure of investigative records compiled for law enforcement purposes is not required by the Freedom of Information Act, but these records shall be made available unless such disclosure would:
 - a. Interfere with enforcement proceedings.
 - b. Deprive a person of a right to a fair or an impartial adjudication.
 - c. Constitute an unwarranted invasion of personal privacy.
 - d. Disclose the identity of a confidential source and in a criminal case, reveal confidential information furnished only by the confidential source.
 - e. Disclose investigative techniques and procedures not generally known.
 - f. Endanger the life and physical safety of law enforcement personnel.
 - 2. In order to maintain the proper balance between the right of the people to know what their Government is doing and the need for the NPS to keep certain law

enforcement information confidential without acting in an arbitrary or capricious manner, information will be withheld if the information:

- a. Falls into one of the six categories listed above, and
 - b. A sound reason for the withholding of it exists beyond the mere meeting of the technical criteria of one of the categories.
3. In releasing information, a distinction must be made between noncriminal and criminal actions. In a noncriminal case (missing persons, drownings, falls, etc.), incident reports are generally available, except for:
- a. Names of deceased or seriously injured until next of kin are notified.
 - b. Grisly details not necessary to publicize which do not alter basic facts of the incident.
 - c. When the possibility of criminal action is still under investigation and information released would hinder the investigation or conflict with other provisions of these guidelines related to criminal cases.
 - d. Home address and home telephone number of NPS personnel.
 - e. Information from individual personnel files and/or medical records of employees.
 - f. Confidential sources of information.
 - g. Investigative information going beyond general incident reporting which shall be withheld even when an incident is settled. If such revelation would expose agency techniques which are generally not known to the public and the disclosure would raise the reasonable possibility of hindering future efforts (i.e., disclosure of backcountry patrol schedules, etc.), the information shall be withheld.
 - h. Requests for information contained in reports of concern to other bureaus or agencies, which shall be immediately referred to the Superintendent.

- i. A requested record was obtained by the NPS from a source person or entity outside of the Government, the official responsible for processing the request shall, when it is administratively feasible to do so, seek the views of the original source before making a decision on the request.
4. The following information is available to the public with respect to criminal cases:
 - a. General complaint records giving facts of incidents; i.e., date, time, place, type of incident, circumstances, officers dispatched, etc.
 - b. Records of lost, stolen, or missing property.
 - c. Arrest records associated with an incident:
 - (1) Case number, date and time of arrest.
 - (2) Name, date of birth, race, birthplace, occupation, and marital status of persons arrested. The information shall not be released in cases where the arrestee is a juvenile.
 - (3) Location of arrest and nature of charge filed.
 - (4) Name of complainant (except if victim of sex crime).
 - (5) Name of arresting employee.
 - (6) Disposition of case if available.
5. Information in criminal cases which may generally be withheld (unless part of a public record or made available by court actions) includes:
 - a. Home address and home telephone number of NPS personnel.
 - b. Information relating to a subject's previous arrest record.
 - c. Statements, admissions or confessions made by subjects following arrest.
 - d. Names and addresses of subjects wanted for crimes, unless the assistance of the news media is needed in locating suspects.
 - e. Names and addresses of witnesses.

- f. Requests for information contained in reports of concern to other bureaus or agencies which shall be immediately referred to the Superintendent.
- g. Information obtained by the NPS from a source person or entity outside of the NPS, if the source approves the release.
- h. Data from individual personnel files and/or medical records of employees.
- i. Names of informants, undercover agents, other confidential sources of information, or other data which could identify them.
- j. Investigative information going beyond general incident reporting may be withheld even when an incident is settled if such revelation would expose agency techniques that are generally not known to the public and the disclosure would raise the reasonable possibility of hindering future efforts.
- k. Name and addresses of victims of sex crimes.
- l. Names of deceased or seriously injured until next of kin are notified.
- m. Grisly details not necessary to publicize which do not alter basic facts of the case.
- n. Information that could hinder the investigation of a case if released.
- o. Information that could endanger the life or physical safety of law enforcement personnel or other park employees.
- p. Information that could deprive a person of a right to a fair trial or an impartial adjudication.
- q. The address and telephone number of any living person.
- r. The names of a juvenile charged with an offense. Any information concerning the incident that might identify the juvenile, prejudice his hearing, reveal any information relating to the proceedings, or any record of the proceedings shall not be released to anyone other than the judge, counsel for the juvenile, and counsel for the Government.

6. Generally, all information contained in an accident report will be released (including names, addresses, and telephone numbers) to any party involved in the accident or their representative. Representatives of insurance companies are considered to be representatives of parties involved in the accident.

E. Media Relations

1. At the scene of an incident, bona fide representatives of the news media will be allowed access to areas normally and legally restricted to the general public as long as such access does not interfere with recognized law enforcement procedures, apprehension of suspects, or the preservation of evidence. If the safety of media representatives would be jeopardized, they should be so informed and may be restricted from the scene. If NPS personnel would be jeopardized by media presence in hazardous areas "due cause" exists to restrict the media representatives from the area.
2. Prisoners or suspects will not be posed or stationed for the purpose of photographing or televising by the news media. The news media will not be allowed to interview them unless it is at the request or agreement of the prisoner or suspect and such interview does not interfere with the due process of the law, delay any proceeding, or create a security or safety risk.

HEALTH/FITNESS

I. Introduction

In many occupations the daily level of physical exertion is predictable. Commissioned personnel, however, assigned a variety of law enforcement and related public safety duties, may operate for extended periods of time at a minimal activity, and then suddenly and unpredictably be called upon to exert a critical amount of physical and mental energy. Experience has shown that an employee who is not physically fit frequently lacks the stamina and mental alertness to protect himself, the visitor and co-workers adequately. The employee who is reacting to and handling stress, both mental and physical, strives to use a confident, controlled-emotion approach in law enforcement activities. This approach as well as the capacity for appropriate self-defense is dependent, in part, upon a person's associated attitude and self-confidence regarding personal capability to meet such challenges.

II. Policy

It is the policy of the National Park Service that all personnel assigned to duties with law enforcement responsibilities attain and maintain a functional level of endurance, strength and agility.

III. Guidelines

This policy recognizes that physical fitness is job related, and the National Park Service recognizes that it has certain responsibilities for task preparedness. Individual employees, however, must always assume the ultimate responsibility for personal fitness. It further recognizes that a physical fitness program brings benefits to the Government in terms of increased job efficiency, reduced sick leave, fewer employee injuries, and higher morale. Park managers are urged to develop voluntary health and fitness programs for their areas and encourage employees to participate in both on-the-job and after duty hours programs. Persons who have passed a physical examination or have clearance from their doctor may be allowed no more than 3 hours each week of administrative time to participate in an exercise program (FPM Chapter 630).

Currently the National Park Service does not have an approved health and fitness program; although, such a program is being developed which will contain fitness performance standards for law enforcement personnel. This Guideline shall be updated when that program has been approved.

FINANCIAL MANAGEMENT OF LAW AND ORDER EMERGENCIES

I. Introduction

Congress instructed the National Park Service:

"That any funds available to the National Park Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations in the National Park System."

II. Policy

The National Park Service defines an "emergency law enforcement" incident as any demonstration, special event, or unusual occurrence that could not be anticipated and accommodated in the budget request and has not been initiated by the National Park Service.

III. Guidelines

A. Qualification for this funding will have been met when:

1. The "beginning" of an incident shall be the date that planning is initiated to cope with the incident. The "ending" shall be the date on which operations are restored to normal, including repairs of damage to property, cleanup, and return of specially assigned personnel to their regular duties.
2. For an anticipated incident, a written plan of action has been prepared in a timely manner by the field area, approved promptly by the Regional Director and Park Operations Washington Office has been advised. Support and coordination will be provided by the Regional Law Enforcement Specialist.
3. For an unanticipated incident, the field area experiencing the "law enforcement" incident shall follow the procedure outlined in paragraph 2 above, except for submission to the Region of the advance plan of action. However, a written request for assistance will be prepared and forwarded to the Region by the field area as soon as possible.
4. Each field area experiencing, or providing assistance to another Regional area experiencing a law enforcement incident, has established a separate financial account to accumulate all unbudgeted costs it incurs related to that incident. In their reports of a given incident, both the regions experiencing the incident and regions providing assistance should use the same title for the incident to facilitate consolidated reporting.

5. All costs directly attributable to the incident are accumulated in the above-mentioned special account. Examples of direct costs are: overtime of permanent personnel at the park experiencing the incident; overtime costs of permanent personnel specifically assigned from other field installations; overtime costs of seasonal employees assigned to the incident; overtime costs of personnel required to replace personnel detailed out to assist other offices on law enforcement emergencies; cleanup of the area; repair of damage to physical facilities, cultural and natural resources; travel and per diem; special communications; additional program activities to lessen tension and provide increased surveillance. Other costs also include supplies and materials. The purchase of equipment is not authorized unless approved in advance by WASO through the Regional Law Enforcement Specialist.

B. Reporting.

1. The area experiencing the incident submits to its Regional Accounting Office the overtime of its regular employees, overtime of seasonal employees assigned to the incident, and itemized costs of other direct costs as authorized in item four charged to the special account.
2. Any field area or office detailing personnel or providing services to another area submits to its own Regional Accounting Office, the overtime, travel, per diem and other direct costs of such personnel and services. Note that when assistance is provided to an area in another region, it is important that the region providing assistance send a copy of their WASO report to the region which experienced the incident to avoid duplicate reporting.
3. The Regional Law Enforcement Specialist reviews and recommends to the Regional Director the approval or disapproval of the various costs incurred by areas under their respective jurisdiction regardless of where the incident occurred.
4. Each Regional Director experiencing a law and order emergency, or providing assistance to another region for the same, shall submit to the Washington Office a Quarterly Summary Report by January 20; April 20; July 20 and October 10 of all law and order emergencies. Accordingly, each field area utilizing this emergency procedure will report the fiscal information on the Law Enforcement Funding Report to the Regional Law Enforcement Specialist upon the event's conclusion. The reports will be consolidated on the Quarterly Summary Report and upon signed approval by the Regional Director, will be forwarded to WASO

by the Regional Law Enforcement Specialist. The following information will be provided using Form 10-346 (Exhibit 1) and the Quarterly Summary Report (Exhibit 2):

- a. Region and Park
- b. Account number: Each field area experiencing a "law enforcement" incident will establish separate financial account numbers to accumulate all costs related to each incident, once approval is received through the Region from WASO. In instances where the majority of expenditures are related to Special Event Team activity, the Regional Law Enforcement Specialist has the option of establishing the account at the Regional level. However, coordination with the Regional Finance Office is extremely important. It is also important to remember that all expenditures are subject to approval as there is no programmed funds for these accounts, unapproved expenditures will be borne by the field area/region.
- c. Nature of Incident.
- d. Beginning and ending dates of the incident. More specifically, "beginning" of an incident shall be the date of initial planning to cope with the anticipated occasion. The "ending" of an incident shall be the date on which operations are restored to normal.
- e. The unbudgeted law and order costs are to be reported on Form 10-346 and broken out by (a) law enforcement activities and (b) cleanup and restoration of facilities and resources. Justification for these expenditures will be attached as back up and should include:
 - (1) A brief narrative of the activities recorded on an Incident Report (10-343) for the occasion.
 - (2) Names and hours of overtime worked on the detail recorded on form 10-344 using the same case number assigned the originating form 10-343 above.
 - (3) Copies of purchase orders, imprest vouchers, travel vouchers and any other expenditure documents should be used to support charges made to the account. In addition, a brief statement is necessary to show their relationship to the emergency. It is very important that

these expenditure documents (especially vouchers) are completed and turned in to the Finance Office as soon as possible. An extra copy of the document should be given simultaneously to the person managing the account (Park A.O., Regional Law Enforcement Specialist, etc.).

- (4) The entire report (10-346) and all supporting documents will be forwarded to the Regional Law Enforcement Specialist at the conclusion of the event. Regional Law Enforcement Specialists are encouraged to work closely with their Regional Finance office on these emergency accounts.
- (5) Upon approval by the Regional Director, the Regional Law Enforcement Specialist will retain a complete office file copy including all supporting documents. Only the Quarterly Summary Report, with the 10-346 and 10-343 (narrative) attached, will be forwarded to WASO. The original should go to the Budget Division (330) and a copy to Ranger Activities (650) within the aforementioned time frames (see paragraph B4.).
5. The Assistant Director, Financial and Data Systems, in consultation with the Associate Director, Park Operations, has consolidated such quarterly summaries for Servicewide operations and advises the Department after the end of each quarter.
6. The Assistant Director, Financial and Data Systems, as needed, arranges to cover the costs of law enforcement incidents as authorized by the Appropriations Act.
7. The Assistant Director, Financial and Data Systems, prepares a special report of law enforcement incidents for discussion with the Office of Management and Budget at the fall budget review and the Appropriation Subcommittee of the Congress at the winter budget hearings.
8. Cost estimates are to be avoided - only actual costs are acceptable.
9. For control purposes, an event beginning in one quarter and continuing through another, can be given separate cost account number for each quarter even though it is the same event. This control is to be implemented on recommendation of the Regional Law Enforcement Specialist.
10. Events beginning in one fiscal year and ending in another will be given separate cost account numbers.

LAW ENFORCEMENT FUNDING REPORT

Region	Park	Date of Report:
Name of Incident:		Account Number:
Beginning Date:		Ending Date:

SURVEILLANCE AND LAW ENFORCEMENT COSTS:

Park employee's overtime (Except Seasonals)	\$ _____	
Seasonal employee's overtime.	_____	
Temporary duty employees:		
*Regular	_____	
Overtime	_____	
Personnel Compensation		\$ _____
Travel and Transportation of persons		_____
Transportation of things		_____
**Rent, communications, and utilities		_____
**Other services		_____
**Supplies and materials		_____
**Equipment		_____
SUBTOTAL		\$ _____

CLEAN-UP AND REPAIR COSTS:

Park employee's overtime (Except Seasonals)	\$ _____	
Seasonal employee's overtime.	_____	
Temporary duty employees:		
*Regular	_____	
Overtime	_____	
Personnel Compensation		\$ _____
Travel and Transportation of persons		_____
Transportation of things		_____
**Rent, communications, and utilities		_____
**Other services		_____
**Supplies and materials		_____
**Equipment		_____
SUBTOTAL		\$ _____
TOTAL COSTS		\$ _____

*Can only be used for employees hired solely for the incident (short term).

**Explain and itemize on additional page; NOTE: Equipment must be approved in advance by the Regional Law Enforcement Specialist and WASO.

Requested:	Recommended:	Approved:
 _____ Superintendent	 _____ Regional Law Enf. Specialist	 _____ Regional Director

(REGION)

ACCOUNT NUMBER	DESCRIPTION OF INCIDENT AND LOCATION	DATE(s)	TOTAL REIMBURSEMENT REQUESTED
TOTAL THIS QUARTER:			
TOTAL TO DATE:			

Concurred (Signature and Date)
Regional Director

REVIEW PROCESS

I. Introduction

It is essential that this policy and guideline be reviewed annually by the originating office.

II. Policy

It is the policy of the National Park Service to ensure that this document is kept current with court decisions, Federal laws and regulations, and the needs of the Service.

III. Guidelines

A systematic review of this document will be made annually, and participation in this review by field personnel is essential and solicited. Suggested changes, additions, or corrections should be submitted by October 15, each year, via memorandum to the Branch of Ranger Activities, WASO, through the Regional Law Enforcement Specialist (RLES). These suggestions should explain in detail the change(s) intended. The written format of the suggestion shall conform to that of the policy and guideline. In order to be considered during the review process, suggestion(s) should arrive in the Regional Office by October 1, each year. They will then be forwarded to the Washington Office by October 15.

The Washington Office will review and consolidate the suggestion(s) by December 1, each year, and then send to the field for review. All comments from the field will be sent directly to the Branch of Ranger Activities, WASO, with copies to the RLES, by January 30, each year.

The comments will be analyzed and prepared for Directorate approval and incorporated into the Policy and Guideline. The approved changes will be printed and distributed to the field by April 1, each year.

There will be no reminder sent to the field concerning the annual review process.

